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TRANSACTIONS

OF THE

Bristol and Gloucestershire Archæological Society

FOR

1917

TRANSACTIONS

OF THE

Bristol and Gloucestershire Archæological Society

FOR

1917

EDITED BY

EDWIN SIDNEY HARTLAND, LL.D., F.S.A.

VOL. XL

BRISTOL

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The Council of the Bristol and Gloucestershire Archæological Society desires that it should be distinctly understood that the Council is not responsible for any statement made, or opinions expressed, in the Transactions of the Society. The Authors are alone responsible for their several Papers and Communications, and the Editor, except in case of signed reviews, for the Notices of Books.

Members of the Society may obtain cases for binding the *Transactions* from J. W. Arrowsmith Ltd., Quay Street, Bristol, who will also complete the casing of Volumes sent to them.

1396901

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Bristol and Gloucestershire Archæological Society.

PROCEEDINGS

At the Annual General Meeting, At Gloucester,

On Wednesday, July 18th, 1917.

The Annual General Meeting of the Society was held, by permission of the Mayor of Gloucester (Sir James Bruton), at the Guildhall, Gloucester, on Wednesday, July 18th, 1917.

The retiring President, Mr. E. Sidney Hartland, LL.D., F.S.A., took the chair.

Present: Rev. Canon Bazeley (Vice-President), Messrs. J. E. Pritchard (Vice-President), W. St. Clair Baddeley (Vice-President), H. W. Bruton (Vice-President), F. A. Hyett (Chairman of Council), Miss Roper, Rev. W. B. Atherton, A. E. Hurry, Colonel Noel, Colonel Duke, Colonel Jeune, Charles Wells, J. J. Simpson, W. Leighton, T. Dyer-Edwardes, Dr. Soutar, Rev. C. A. Williamson, F. W. Waller, F. H. Bretherton, James Baker, Colonel Buckton, E. Conder, William Crooke, F. J. Cullis, Rev. C. S. Swynnerton, T. S. Ellis, C. E. Boucher, and Roland Austin (Hon. General Secretary).

The Honorary General Secretary, Mr. Roland Austin,

read the report of the Council for the year 1916–17, as follows :—

1. *Membership.*—The number of members at the present time is 463, as compared with 510 a year ago. 26 members have died, 19 resigned, and the names of 16 others have been removed in consequence of their subscriptions having lapsed. 14 new members have been elected during the year. There are now 6 Honorary Members and Institutions, 79 Life Members, and 378 Subscribing Members. Owing to the disturbance in social life caused by the war, the Council cannot expect the addition of many new members to the Society ; but they hope that with the return of peace there will be renewed interest in its work, and a resumption of the meetings and excursions which have given so much pleasure, and provided opportunities for the study of the great monuments of the past.

The obituary of the year has been a heavy one, and includes some who were valued members of the Society.

At the time of the last Annual Meeting great anxiety was felt concerning the safety of Captain MICHAEL LLOYD-BAKER, who was in the engagement with the Turks at Katia on Easter Day, 1916. After an interval of several months his friends were convinced that evidence of his death was established ; and they mourn the loss of one who, had he lived, would have taken a prominent part in the affairs of the county. On the resignation in 1907 of Canon Bazeley as General Secretary, Mr. Michael Lloyd-Baker accepted the invitation to succeed him ; and from then until 1911 he filled the office to the satisfaction of all our members, combining a natural gift for organisation with a genial temperament. A notice of him appears in the volume of *Transactions* just issued.

The death of LORD REDESDALE removed a personality well known not only in Gloucestershire and the country generally, but also in the Far East. He occupied a high place in the Diplomatic Service, and was also an author of considerable reputation, his intimate knowledge of Japan making his writings on that country of special value. More recently his published *Memories* have interested a wide circle of readers. His membership of the Society dated from 1889, and (as Mr. Freeman-Mitford) he was

President in 1891, when meetings were held at Moreton-in-Marsh and Gloucester.

The late Archdeacon SCOBELL was an enthusiastic member, and one keenly interested in country customs and observances. Though not a contributor to the *Transactions*, he had published notes on the history of his parish of Upton St. Leonards, and also a paper on its common-field system.

Mr. JOHN MULLINGS was an original member of the Society, and Mr. RICHARD GIBBS FOSTER was also elected in 1876.

Mr. C. J. CADE had been a member of Council since 1910, and acted as one of the Librarians for a short time.

The Rev. WALTER BUTT was elected a member of Council in December, 1913, and became a regular attendant at the meetings.

Others whose deaths are regretted are Sir R. B. MARTIN, Mr. WALTER REID, Major J. G. WENDEN, Mr. R. B. THOMAS, and Sir GEORGE WHITE.

2. *Finance.*—The Accounts for the year 1916 have been duly audited by Mr. J. J. Simpson, and approved by the Council. They show the Society to be in a sound financial position, and though a considerable sum in respect of subscriptions was due at the end of the year, almost the whole of this has now been paid in. The Society's holding of 4½ per cent. War Loan has been converted into 5 per cent. War Loan (1917), and this has been increased by a further amount of £50, making a total of £650 held by the Society.

3. *Transactions.*—Under the editorship of Mr. E. Sidney Hartland a full volume of *Transactions* has been issued. In this an effort has been made to maintain the interest and value of the series, despite the lack of material from the absence of reports and proceedings which Spring and Summer Meetings have provided in the past; and the thanks of the Society are due to the Editor for the care and pains which he has given to the work. The Council take this opportunity of congratulating Mr. Hartland upon the degree of LL.D. conferred upon him by the University of St. Andrews in recognition of his eminent services to anthropological science.

The Council wish to express their thanks to Dr. A. C. Fryer

STATEMENT OF RECEIPTS AND PAYMENTS FOR TWELVE MONTHS ENDED 31ST DECEMBER, 1916.

1916. RECEIPTS.	£	s.	d.	£	s.	d.
Jan. 1st.						
BALANCE AT BANK				120	16	2
Dec. 31st.						
To ANNUAL SUBSCRIPTIONS—						
1914	0	10	6			
1915	12	1	6			
1916	130	14	6			
1917	2	2	0			
				145	8	6
,, ENTRANCE FEES				5	5	0
,, DONATIONS—						
Merchant Venturers' Society	2	2	0			
F. Were, Esq., for Library	0	10	6			
				2	12	6
,, INCOME FROM INVESTMENTS—						
4½ per cent. War Loan ..				18	14	6
,, SALE OF *Publications*.. ..				2	9	0
,, RENT—						
Cotteswold Club, Share of Eastgate Room, 1915-16				8	0	0

1916. EXPENDITURE.	£	s.	d.	£	s.	d.
Dec. 31st.						
By COST OF *Transactions*—						
Vol. xxxviii, 1915, Arrowsmith	100	0	0			
Blocks, Pitcher	1	10	0			
Postage and Delivery to Members	9	7	8			
List of Members, Osborne	3	7	6			
				114	5	2
,, EXPENSES OF LIBRARIES—						
Gloucester—						
Books	20	1	7			
Pipe Roll Society ..	1	1	0			
Harleian Society ..	2	2	0			
Fire Insurance	2	9	3			
Binding, Bolt	1	10	3			
Public Library Committee	6	6	0			
				33	10	1
Bristol—						
Rent	4	0	0			
Fire Insurance	0	5	0			
				4	5	0

STATEMENT OF RECEIPTS AND PAYMENTS (*continued*).

RECEIPTS.	£	s.	d.
£303	5	8	

EXPENDITURE.	£	s.	d.	£	s.	d.
By EASTGATE ROOM—						
Rent	10	0	0			
Cleaning and Firing ..	2	15	0			
Custodian	0	5	0			
				13	0	0
,, MISCELLANEOUS PAYMENTS—						
Assistant Treasurer ..	10	0	0			
Assistant Secretary ..	5	0	0			
R. Austin, General Index (second instalment) ..	7	0	0			
Casing *Transactions* for Exchange..	8	9	0			
Printing, Osborne	3	19	11			
Cheque Book	0	5	0			
Postages—						
General Secretary ..	1	11	0			
Local Secretary, Gloucester	1	1	7			
Treasurer	1	0	0			
Notice of Annual Meeting	1	1	0			
				39	7	6
				204	7	9
,, BALANCE..				98	17	11
				£303	5	8

BALANCE SHEET 31ST DECEMBER, 1916.

LIABILITIES.	£	s.	d.
MEMBERS' SUBSCRIPTIONS IN ADVANCE, 1917	2	2	0
BRITISH RECORD SOCIETY, SUBSCRIPTION, 1916	1	1	0
LIABILITY IN RESPECT OF LIFE MEMBERS..	Not estimated.		
LIABILITY IN RESPECT OF *Transactions* FOR 1916 (Vol. xxxix) NOT ISSUED (INCLUDING DELIVERY TO MEMBERS)	150	0	0
SURPLUS AT DATE	572	18	5
	£726	1	5

ASSETS.	£	s.	d.	£	s.	d.
INVESTMENTS—						
£554 15s. 9d. 4½ per cent. War Loan at 97¼ per cent.				539	10	0
PROPERTY—						
Libraries and Equipment .. Publications, copies unsold ..	Not estimated.					
SUBSCRIPTIONS UNPAID—						
1914	1	1	0			
1915	10	10	0			
1916	76	2	6			
				87	13	6
CASH AT BANK				98	17	11
				£726	1	5

I have examined this Balance Sheet and the Statement of Receipts and Payments for the year ending 31st December, 1916, and find the same correct.

17th April, 1917. (Signed) J. J. SIMPSON.

for continuing to provide free of cost to the Society the whole of the blocks which illustrate the valuable series of articles on the Fonts of Gloucestershire, now being contributed by him to the *Transactions*. They are also indebted to Dr. Beeby and the Editor for presenting the blocks which illustrate their papers in Volume xxxix. Thus all the illustrations in this volume have been supplied without any charge falling on the Society's funds.

With the publication next year of the *Transactions* for 1917 the Society will have completed the issue of forty volumes. These will then be supplemented by the General Index to Volumes xxi.—xl., which has been in preparation for some time, and is, so far as it can be completed at present, practically ready for press.

4. *Library*.—The headquarters Library of the Society housed at Gloucester continues to be well used by members, and the Library Committee lose no opportunity of adding to it. Further progress has been made in completing sets of publications of Societies, particulars of which, together with the titles of other works added, are given in each volume of the *Transactions*. The Council have voted £20 for the purchase of books during the current year; and it is proposed to secure some of the Record Publications needed to supplement those already in the Library.

5. *Evening Meetings*.—While it has not been possible yet to resume the winter meetings at Bristol, a full programme was arranged and carried out at Gloucester with considerable success. The number of serial tickets issued was 99, exceeding those of the previous winter. Many single tickets were also taken for the various lectures. The Council fully support the thanks which have been expressed by the Local Secretary (Mr. Roland Austin) to the lecturers who had so readily responded to the invitation to help, and to whose efforts, and the untiring energies of Mr. Austin himself, the success of the meetings was due.

The meetings were as follows :—

November 23rd, 1916. "Some Masterpieces of Greek Sculpture," by W. St. Clair Baddeley.

December 14th, 1916. "The Wheel of Life," by G. McN. Rushforth, F.S.A.

January 18th, 1917. "The Bayeux Tapestry," by George Embrey.

February 8th, 1917. "The Churches of Aldsworth, Coln Rogers, and Coln St. Denys," by Charles E. Keyser, F.S.A.

March 8th, 1917. "Sicily," by W. St. Clair Baddeley.

6. *Council Meetings.*—Three meetings have been held during the year, one being at Bristol and two at Gloucester. The Council desire to express their thanks to the Lord Mayor of Bristol and the Mayor of Gloucester for kindly granting the use of their Council Chambers.

7. *Eastgate Room.*—With the housing of the Society's Library in a room at the Public Library at Gloucester, and consequent on arrangements which have been made for the issue and distribution of the *Transactions*, there is little need for retaining the room rented at Eastgate House; and as the large number of publications hitherto stored there will be greatly reduced, the Council have decided to terminate the tenancy as from January 1st next. They will report in due course as to the arrangements which it will be necessary to make in order to store the Society's property.

9. *Publications.*—A considerable number of copies of many volumes of the *Transactions*, and of other publications of the Society, still remain on hand; and the Council decided in April last to offer them to members at greatly reduced prices, while at the same time providing for a certain number of sets to be retained for future needs. The offer has met with some response, but not so much as might have been looked for, seeing how very small the charges are, compared with the value of the publications. Members are reminded that this opportunity will terminate in October (1917) next, when the Library Committee will consider the distribution to University and other Libraries of sets which may then be available.

10. *President of Council.*—The Council announce with feelings of great regret the retirement of the President of Council, Canon

Bazeley, who, having held this office for nine years, has expressed his wish that he should not be re-nominated. By this decision Canon Bazeley brings to a close an official connection with the Society extending over nearly forty years. On January 31st, 1879, he was appointed Joint Secretary; from July 30th, 1885, until December, 1906, he was General Secretary; and in October, 1908, on the retirement of Mr. F. F. Fox, he succeeded to the office which he now relinquishes. The Council desire to thank him for the unremitting attention which he has devoted to its affairs, and his continuous efforts to promote the systematic study of antiquities throughout the county. They are glad to know that Canon Bazeley will still give them the benefit of his long experience.

The following Resolution has been recorded upon the Minutes:—

> "The Council desire to place on record the sense of their deep appreciation of the services rendered to the Society by Canon Bazeley as President of Council for the past nine years, and of their gratitude for his untiring devotion to its interests throughout almost the whole of its existence—successively as Joint Secretary and General Secretary and President, and finally in the office he now relinquishes. The Council trust that for many years to come Canon Bazeley will be able to give them the advantage of his experience and advice, and maintain his connection with the Society, which owes to him so much of its present acknowledged reputation and prosperity."

The Council have the pleasure of nominating Mr. F. A. HYETT for recommendation to the Annual Meeting as successor to Canon Bazeley. Mr. Hyett has always taken the greatest interest in the Society, and he was President in 1903–1904; while his published writings on the history of Gloucester, and his untiring work as the chief bibliographer of the County are well known. The members of the Society are to be congratulated on his having consented to his name being placed before them.

11. *General Secretary.*—The Council have also to record with regret the resignation of the Hon. General Secretary, Mr. ARNOLD E. HURRY, who, since his appointment in February, 1911, has given so much time and attention to the interests of

the Society. The Council have asked Mr. Hurry's acceptance of a bound set of the *Transactions* as a slight recognition of the services which he has rendered.

At the meeting of the Council in April Mr. ROLAND AUSTIN, Local Secretary for Gloucester, accepted their invitation to succeed Mr. Hurry. The Council are much gratified with Mr. Austin's consent to undertake so onerous an office. They hope that with his assistance the Society will be enabled to pass through this difficult time, and emerge when the war is over to a renewed vigour and usefulness.

12. *Treasurer.*—The Council have further to record the resignation of the Treasurer, Mr. J. A. SMITHIN, who has had charge of the Society's financial affairs since 1909, and they desire to express their thanks to him for his services.

Mr. F. HANNAM-CLARK has very kindly undertaken to fill the office vacated by Mr. Smithin. Owing to the re-arrangement of duties which has been made, the Society's funds are now relieved of certain annual payments for clerical and other assistance.

13. The President reported that application had been made to the Bishop for a faculty to remove two existing pulpits (one permanent and the other temporary) from the nave of Berkeley Parish Church, and to substitute a new stone pulpit as a memorial to the late Lord Fitzhardinge, and that the Chancellor of the Diocese (His Honour Judge Ellicott) had requested the Society to advise him on the question from an archæological point of view; but that the matter was urgent, and it would have been inconvenient to wait for it to be considered at the Council Meeting. In these circumstances the President had requested the Rev. Canon Bazeley (President of the Council) to accompany him to Berkeley to inquire into it, and report direct to the Chancellor. Canon Bazeley, however, being unable to go, Mr. F. W. Waller had kindly consented to do so. After examining the designs and the existing pulpits, they both came to the conclusion that there was no objection from an archæological point of view to the grant of the faculty, and had taken the responsibility of so advising the Chancellor on the Society's behalf.

The President's action was approved, Mr. Waller and himself

were thanked, and the hope was respectfully expressed that a similar course might in future always be taken by the Chancellors of the dioceses both of Gloucester and Bristol, when application was made for faculties involving alterations to historic churches.

14. *Council and Officers.*—The Council desire to recommend for election and re-election the following members of Council and Officers: President, E. Sidney Hartland, LL.D., F.S.A.; President of Council, F. A. Hyett, B.A.; Vice-Presidents, The Lord Mayor of Bristol, The Mayor of Gloucester (when members of the Society), John E. Pritchard, F.S.A., A. E. Hudd, F.S.A., Rev. C. S. Taylor, F.S.A., H. W. Bruton, Canon Bartleet, F.S.A., G. M. Currie, Archdeacon Sinclair, Christopher Bowly, Professor Oman, F.S.A., Canon Bazeley, Russell J. Kerr, W. St. Clair Baddeley.

Members of Council.—The following retire and are eligible for re-election: F. Were, F. J. Cullis, A. C. Fryer, Leonard Barnard, J. L. Osborn, Colonel Noel. The following are in addition nominated for election: For Bristol, Cecil Powell; for Gloucester, F. W. Waller; for Cirencester, E. C. Sewell; for Stroud, Rev. W. B. Atherton; for Tewkesbury, A. E. Hurry; for Thornbury, H. Jenner-Fust; for Cheltenham, W. Crooke, F. B. de Sausmarez.

Hon. Editor, E. Sidney Hartland, F.S.A.; *Hon. Treasurer*, F. Hannam-Clark; *Hon. Secretary for Bristol*, L. J. U. Way, F.S.A.; *Hon. General Secretary*, Roland Austin; and the *Local Secretaries*.

The PRESIDENT moved the adoption of the report, and in doing so said that the Society were, despite the very difficult times through which they were passing, in what could not be regarded in the circumstances as otherwise than a satisfactory financial condition. They had lost members, as other Societies had—every Society lost members in these times—but they had been able by care and economy and other rearrangements to maintain a satisfactory position. They could only hope that as soon as the war was over—and they

hoped that would be very soon, hoping possibly against hope—the Society would once more awake to a normal state of things, obtaining new members, resuming their excursions, and continuing to fulfil in a better manner than they were able to do just now the proper offices of a local Archæological Society. Mr. Hartland alluded to the changes mentioned in the report, making especial reference to the resignation of Canon Bazeley. He said he thought there could be but one feeling in the minds of all the members, and that was of regret that Canon Bazeley found it so desirable at the present time to retire. Canon Bazeley had filled the Society's various offices—Secretary, President, and President of the Council—for many years. For a period of nearly forty years he had been the guide and leader of the Society; and they could not help feeling—especially now that they were parting from him in an official capacity—that it was very largely due to his wise counsel that the policy of the Society had been initiated and carried through, and to his skill and organisation that the Society had attained the prosperity it had at the commencement of the war, and which had enabled them to proceed with a certain amount of confidence since that calamitous day. They all hoped that Canon Bazeley, although he retired from an official position in connection with the Society, might still for many years be enabled to give them the benefit of his advice, assistance, and experience, and that it would be a very long time before they missed his familiar face and voice from among them.

The report was then adopted.

Colonel JEUNE moved, and Mr. F. H. BRETHERTON seconded, the election and re-election of the following members of Council: Mr. F. Were, Mr. F. J. Cullis, Dr. A. C. Fryer, Mr. Leonard Barnard, Mr. J. L. Osborn, Colonel Noel, Mr. Cecil Powell, Mr. F. W. Waller, Mr. E. C. Sewell, Rev. W. B. Atherton, Mr. A. E. Hurry, Mr. H. Jenner-Fust, sen., Mr. W. Crooke, and Mr. F. B. de Sausmarez.

The resolution was carried.

The PRESIDENT referred to the resignation of Mr. Arnold E. Hurry, and asked his acceptance, as a slight recognition of the services he had rendered to the Society as Hon. General Secretary for the past six years, of a bound set of the *Transactions*.

Mr. HURRY returned his thanks to the Council for the gift, and spoke of the pleasure he had derived from his official connection with the Society.

The PRESIDENT then delivered his address, his subject being "The Ethnologist in Archæology."[1]

Canon BAZELEY proposed a vote of thanks to the President for his very erudite and able address. Remarking that Mr. Hartland was a master of the subject with which he had dealt, Canon Bazeley said they were all glad to know that the University of St. Andrews had honoured him by conferring upon him the honorary doctor's degree, and at the same time declaring that his line of study was one of the most important at the present day. If a University could do that, he was sure that they as a Society would do right in following their example. They ought to be proud to have such a President, and they looked forward to hearing him again with both pleasure and profit during the ensuing year.

Mr. JAMES BAKER seconded the vote of thanks, which was supported by Mr. E. CONDER, and very heartily adopted.

The PRESIDENT returned his thanks for the kind reception of his address, and himself offered the most cordial thanks of the Society to the Mayor of Gloucester for the use of the Council Chamber for that meeting, and of another room for the Council Meeting.

[1] See page 15.

THE ETHNOLOGIST IN ARCHÆOLOGY.

Address by Edwin Sidney Hartland, LLD., F.S.A., *President.*

The indifference of the English public to education has received a shock during the course of the terrible war which is now devastating the world. It needed something to rouse it; and that something has been administered by the demonstration of the power given to a nation by education, and in particular by a diligent study of scientific subjects conducted in a rigorously scientific spirit. The result is that we are seriously considering vital reforms in our method of education, and science at last is really in the air. We have learnt that no knowledge is a matter of indifference to us, and that all knowledge must be cultivated and zealously disseminated through the community.

I am not going now to advocate the various reforms proposed in our educational system and the extension of compulsory attendance at school by our children and young people. Urgently necessary as I believe these to be, this is not the time to discuss them. What I want to direct your attention to for a few minutes is the application of science to the subjects in which we as an Archæological Society are particularly interested. Nor do I claim to present you with any novelty, but simply to remind you of some things that are well known, and because they are well known are too apt to be overlooked.

The study of antiquity, like most other studies, began in a dilettante way. Unfamiliar objects were noticed and collected as curious, unusual, and therefore possessed of a fictitious value, without any thought beyond. Gradually as such things were accumulated their distribution and characteristics were also noticed, and their relations to one

another in distribution and characteristics were observed. They began to be compared and classified, and inferences of various kinds began to be drawn. In the earlier part of the last century this was a process that had not advanced very far. Our Stukelys and even Colt Hoares were in this stage. Some people have not yet passed it. Many have not yet reached it. I could point to a great country-house—no doubt such are known to you all—filled with a miscellaneous collection of "curios," as they are called—a vast curiosity shop of objects without meaning as they stand, but objects which, if labelled accurately with their place of provenience and date, and brought into relation with other objects of the same class, or produced by the same age or country, might have a most important educational value, might teach lessons concerning human history, the reaction of environment upon man, the development of industry, the weight and direction of foreign influence, and so forth, which would not only assist us to reconstruct the past, but also provide us with material for the forecast of the future and for the expansion of our own ideas and of our own energies. Then the collection would have its practical effect in contributing to raise the scale and standard of civilisation throughout the world.

Although antiquaries have been gradually awakened to a consideration of the various problems presented by their exploration of the barrows and stone circles and the discovery of human remains and those of the artefacts of earlier generations, it was the great merit of the eminent anthropologist, General Pitt-Rivers, by the systematic and detailed character of his excavations, to show the way to scientific procedure in exploration, and to the serious examination of the questions raised by intelligent and methodical digging. His precept and example have been abundantly justified, not only by his own four magnificent volumes recording the *Excavations at Cranborne Chase*, but also by such splendid achievements (to confine our attention to the British Isles) as the work conducted by his distinguished pupil, Mr. St George Gray,

at Glastonbury and by Dr. Marett in Jersey. These are not alone. Every day enthusiastic but undisciplined amateurs recede into the background as explorers of ancient sites, giving place to trained scientific leaders. The change is seen in the vital emphasis now laid on the enumeration and the consideration of the problems presented, and the quite different light in which the objects found are regarded. These are no longer of primary interest. They are valued not for being strange or curious, but as presenting new enigmas for solution, as raising new and often fundamental issues. We have ceased to be mere thoughtless and unimaginative collectors. Every object found opens a vista of further inquiry, and is valued chiefly as it does so. Our collections are, first and foremost, the data for more extended induction.

This is the truly scientific attitude. It involves a further consequence. In the last resort knowledge is a unity. You cannot know one subject only, you must know something of others also. The man of one book—were it the Bible itself—does not really understand that book without the help of a hundred others. The man who knows his own language only does not understand it: to do this he must be acquainted, to some extent at least, with others. The man who has learnt English history has learnt it very imperfectly if he does not know something of geography, geology, economics and of the history of other peoples. He cannot see things in their proper relations or in their just proportions. What is true of knowledge in general is much more true of what may be called neighbouring subjects—those which are most closely connected with the principal subject under consideration. Hence the antiquary must be more than an antiquary, or he cannot deal with, or even appreciate the problems he encounters. Archæology, the science of antiquities, is but part of the larger learning of anthropology, the Science of Man. Therefore the antiquary must call in the physical anthropologist, the historian, the technologist, and above all

the ethnologist to help him to interpret the phenomena that confront him.

Concerning physical anthropology I do not propose to trouble you with many observations. But the extreme complexity of the problems involved in the investigation of the archæology of the British Isles may be judged from the fact that, whereas we roughly and superficially think of the population as made up of some three or four elements, the latest researches disclose not less than ten types of humanity still surviving here, the descendants of races which have made their home in this country. Some of these it is true were probably of mongrel types, though it is impossible to say whether they are the result of mixture on this side of the Channel or not. To the archæological student at any rate this variety opens almost boundless possibilities in the attempt to trace the material or the spiritual constituents of our civilisation. But however the physical anthropologist may distinguish his types, we know that the earliest inhabitants who have left us osteological remains were a long-headed people. This fact is not altered, notwithstanding that they may not have been an unmixed population. By their dolicocephalic skulls we recognise them or their descendants in the barrows. The relics left us of their civilisation are very few. When we have occasion to examine them and compare them with those of other lands and peoples, we must look to physical anthropology to give us some hints to direct our inquiries and to guide our conclusions.

Man existed here as elsewhere for untold ages before he discovered the use of metals and the way to work them. In this country his remains are found as early as the Mid-Pleistocene period; and metals are not found associated with them previous to the second millennium B.C. For the greater part of this long period, measurable in no other terms than those of geologic time, he has left us only fortuitous relics. In the later ages, during what we call the Neolithic period, he carefully buried his dead; and the grave-mounds, or

barrows, with their contents are almost the only permanent memorials, both of this age and the Bronze Age that succeeded it, capable of revealing to us what manner of man he was. Neolithic man buried his dead under great barrows of earth and stones. But the comparatively small number of these barrows, large as it is, and the labour that must have been employed in erecting them, forbid us to suppose that all his dead were buried there. Who were the others, and what was done with them? We have no direct evidence; and we can only reply by inference from the customs of other peoples on a low level of culture. In other words we must go to ethnology to obtain a solution of the riddle. Even the ethnologist can do no more than conjecture here, so diverse are the customs of present-day savages. From the size of the barrows and the care taken to make them we may guess that only important persons, such as chiefs, with their families and possibly their immediate retainers, were buried within them, while the other dead were simply exposed in the wold or laid beneath a light covering of earth that has long ago allowed the bones to crumble to dust.

Since then these predecessors of ours belonging to the Stone Age have in fact left us few authentic records of themselves, except their funeral mounds, whatever idea of their civilisation we ultimately arrive at will have to be pieced together chiefly from the remains found in their barrows, as interpreted by the ethnologist's aid. The people of the Bronze Age have left us as little in the shape of material relics. In fact, they have often left us hardly as much; for the practice of cremating the dead, though known in Britain to the neolithic inhabitants, greatly increased in the Bronze Age. It never seems to have wholly driven out inhumation. Probably it never did so anywhere. Though it implies generally a difference in religious belief—in the conception of the spirit-world,—yet the practice must always have been limited by economic considerations. The neolithic people too were not rooted out from the land. The bones found in

the barrows include those of a dolicocephalic race, such as we know the neolithic folk were. The neolithic must have been incorporated in the bronze-using population, or reduced to servitude; and they may have clung to the customs of their ancestors, despite the new traditions introduced by the round-headed people who were predominant in the Bronze Age. There is evidence, indeed, of the attempt to combine both methods of disposing of the dead—inhumation and cremation. In a barrow opened by Canon Greenwell on Goodmanham Wold in the East Riding of Yorkshire the body had been laid on the funeral pile in the contracted position common to inhumations in this country and usually, but not invariably, practised by savages in other parts of the world. In that position it was burnt, then covered with earth as it lay, and so buried on the spot. A fine cinerary urn there was, but the bones were not in it. It stood in front of them.[1] Many other instances of the combination of inhumation and cremation might be cited. The practice is known elsewhere; in Greece, for example, it is well recognised.[2] It is a thoroughly human proceeding to run with the hare and hunt with the hounds.

The round-headed or brachycephalic people who first make their appearance in, or shortly before, the Bronze Age were perhaps conquerors, rather than peaceful immigrants. The process by which they were absorbed into the general population may have been slow. But it was accomplished; and the neolithic race, so far from being extirpated, still exists among us at the present day, and according to the most recent researches of anthropologists appears in a fair way to regain its numerical preponderance in spite of the invasions and revolutions of subsequent centuries, if indeed that preponderance ever was lost. But, even if it was depressed during the Bronze Age and held in a servile condition, to put

[1] Greenwell, *British Barrows* (1877), 291.

[2] Lawson, *Mod. Gr. Folklore and Anc. Gr. Religion* (1910), 494.

an extreme case which the evidence hardly justifies us in accepting, still its influence on the thought and practices of its conquerors and lords may have been by no means inconsiderable. No fact is better established than the religious influence of a conquered, or even an outcast, race. As the original possessors of the land they are believed to know the indigenous gods and the rites and duties payable to them; and they are credited with abnormal and mysterious powers. The most familiar instance is that of the Assyrian colonists of Samaria who when the lions, in consequence probably of the destruction involved in the wars, multiplied and wrought havoc among them, sent for a native priest from among the captives in Assyria, that he might "teach them the manner of the God of the land."[1] Ethnology can supply us with many illustrations of this widely-spread superstition. In India it is general, if not universal. In the Central Provinces, for instance, there is a primitive Dravidian tribe called the Baigas. They are the priests of the village and of the indigenous gods, because, being aborigines, "they are considered to have a more intimate acquaintance with the local deities." These village priests have "a considerable reputation as skilled sorcerers and persons conversant with the unseen world. A case is known of a Brahman transferred to a jungle station, who immediately after his arrival called in a Baiga priest and asked what forest gods he should worship, and what other steps he should take to keep well and escape calamity."[2] The author who reports this and the practice of other castes to consult Baiga and other degraded aboriginal tribes as priests observes that it will be "the more easily understood when it is remembered that these deities are not infrequently either the human ancestors of the earliest residents or the local animals and plants from which they supposed themselves descended."[3] On the Chota Nāgpur

[1] 2 Kings xvii. 24 *sqq.*

[2] Russell, *Tribes and Castes of the Central Prov.* (1916), ii. 78, 86.

[3] Russell, *op. cit.*, i. 70.

plateau a Korwa, that is to say, a member of one of the wildest and most degraded tribes, is selected for the propitiation of the local spirits, because the Korwa were admittedly the earliest settlers of the country.[1] Similarly the caste of Panwar Rajputs worship Nārāyan Deo (either Vishnu or the Sun), a god who is represented by an idol consisting of a bunch of peacock's feathers. It is kept in the house of a Mahār, who takes a prominent part in the ceremony when the god is sent for by the Panwar to receive a sacrifice of a goat, "and when the flesh is eaten he is permitted to sit inside the Panwar's house and begin the feast, the Panwars eating after him. On ordinary occasions a Mahār is not allowed to come inside the house, and any Panwar who took food with him would be put out of caste." Such is the religious deference paid to the position of the Mahārs as the earlier residents of the country.[2]

Without adducing any other Indian examples, which are legion, let me simply say that in this respect India is by no means singular. The Baigas, who have obtained in Central India a reputation as sorcerers, stand on precisely the same footing as the Bushmen in South Africa (also an outcast and hated race), who are believed by the Pondomise Kaffirs to have the power of bringing down rain from the heavens; and cattle are often sent to them as an application for rain. They also have the right of collecting a small share of the crops after harvest is over, a thanksgiving for the rain they bring from the heavens, which enables the people to reap plenty of grain.[3]

Thus we may assume the probability that the neolithic

[1] *Ibid.*, iii. 571.

[2] *Ibid.*, iv. 346. I have cited cases from the Central Provinces as the most recently recorded in a generally accessible form. But similar cases are found all over India. Note *e.g.* that of the Paraiyans in Southern India, *Madras Govt. Museum Bulletin*, v. 60.

[3] *Report of Govt. Commission on Native Laws and Customs* (Cape Town, 1883), App. 409.

inhabitants at their worst would have influenced their masters; and if and when the two races were amalgamated on more equal terms, like the Normans and English, their beliefs and practices would have retained such an assured position as would result in modifying those of the invaders. A compromise would have been found by applying fire to the corpse and then burying it while it was as yet scarce half-consumed, or perhaps only formally touched.

Again. There are cases of barrows obviously intended as funeral monuments in which neither skeletons nor cremated bones are to be found. Such cases have perplexed explorers from the days of Sir Richard Colt Hoare. After discounting all the instances in which the bones have been overlooked by hasty or imperfect excavation, Canon Greenwell admits that a certain number of such barrows are destitute of any trace of bones. He says: "I have myself opened several cists where there was not the slightest trace of bone to be seen, but where the occurrence of flint and jet and 'food vessel' showed plainly that a body had once been placed therein; in other cases there was absolutely nothing within the cist." And he is driven to the suggestion that, at all events where there is no cist, "the admission of air or some other destructive agency might easily lead to the total disappearance of the bones."[1] This explanation must be admitted to be possible in some cases; but evidence of the actual occurrence of such an agency is wanting, and leaves the explanation a mere guess. Indeed, Canon Greenwell himself afterwards withdrew it. On thoroughly excavating the famous barrow of Willy Howe in 1887, he found an oval grave sunk through the chalk beneath it to a depth of more than twelve feet, and "filled in with chalk and a little earth. It had evidently never been disturbed since it was filled in. In the bottom was a [smaller] excavation . . . one foot deep. There was no appearance of a body ever having been interred, and as four pieces of broken animal bone were met with amid the filling-in at

[1] Greenwell, *British Barrows*, 27, *sqq.*

different places in a perfectly sound condition, it is quite impossible that the bones of a human body could have gone totally to decay. As burnt bones never appear to undergo any change, there could never have been a cremated body buried in it." The result of this discovery was that he says: "I am forced to admit the possibility that this very large mass of chalk stones was thrown up merely to commemorate, and not to contain the body of, some great personage." But this admission only raised a new difficulty. "If it is admitted," he says, "that a mound like this might be raised merely as a memorial, that does not explain why beneath it a deep excavation should have been made."[1] Here, surely, is room for another guess—the guess of an ethnologist.

Among peoples in the lower culture great importance is attached to the full performance of the funeral rites. The ancient Greeks held, as we all know, that the dead were not able to cross the Styx until the funeral rites had been paid.[2] The funeral rites were necessary to enable the ghost to attain its final rest. Nor was this belief peculiar to the Greeks. Almost everywhere the ghost of a man not properly buried still wanders about and haunts the survivors or the place of death—a belief we are familiar with in the legends of murder. Consequently, if the body cannot be obtained the funeral rites must be performed over an effigy or some other substitute; but performed they must be. Many peoples think that the soul itself must be buried with the body. Hence every effort is made to catch the soul and deposit it with the corpse, or to enshrine it in an object which shall form its permanent resting-place. When the body is not at hand, the ghost at least must be entrapped and the funeral rites performed over it. The ancient Greeks seem to have buried in effigy

[1] *Archæologia*, lii. 22–4.

[2] Yet apparently the ghosts of the wooers slain by Ulysses were able to penetrate to Hades and to the company of the heroes Achilles, Patroclus, Antilochus and Ajax before their funeral rites had been paid (*Odyssey*, xxiv.).

persons drowned and others whose bodies were not to be procured. The ancient Mexicans buried with full rites a puppet to represent a trader who had died in a far country, or a soldier who had fallen in battle. And the Chinese by prayers and incantations call back into figures of wood or paper the souls of soldiers or sailors who have fallen in battle, and burn them with all customary rites.[1] In case a man belonging to the Thonga tribe in South Africa has died far away from home, a grave is dug as if for the reception of his body, and all his mats and clothing are buried in it; for in the native view "these objects which he was using every day, which have been soiled by the exudations from his body, are himself." Thus in burying them the relatives are burying him, just as if they were burying the corpse.[2] At the head of the Nile Valley, on the right bank of the river just where it issues from Lake Victoria Nyanza, a Bantu tribe called the Basoga have their seat. Among them when a man dies far from home, whose body cannot be brought back, a few of the relations go a short distance from home, cut a twig, and wrapping it up in bark-cloth, proceed to carry it to the dead man's house. The arrival of the corpse is announced, the friends meet it with wailing, they perform the funeral ceremonies over it just as if it were the corpse itself, and it is ultimately buried.[3] In Loango funeral rites are deemed so important that the soul demands them even when the survivors cannot procure the corpse. As the man when living has his home, so the soul must have a home for its bodily envelope: a grave in the man's own earth. If that requirement cannot be literally fulfilled, to satisfy the dead man's fellows a mock-burial must be performed, and to this all persons of family conform. But it is sufficient if the relatives can get some of the hair and nail-clippings from the corpse to

[1] Sir James Frazer, *J. A. I.*, xv. 96, quoting authorities.

[2] Junod, *The Life of a South African Tribe* [1912), i. 165.

[3] Cunningham, *Uganda and its Peoples*, (1905), 118.

bury in this way.[1] Nor is this makeshift in use only among the Bantu, who occupy nearly all the continent of Africa south of the fourth parallel of north latitude. The Yoruba, who are true West African negroes, are satisfied in the same way; and the Ewhe of the Misahöhe District of Togoland bury an empty coffin, the kindred dancing round it and taking formal leave of it exactly as if it were the deceased himself.[2] In another quarter of the globe the Polynesian people of Samoa were greatly concerned about the ghost of a dead man who was not properly buried. Nor were they, we are told, satisfied with a mere empty grave at which to observe the usual solemnities. "They thought it was possible to obtain the soul of the departed in some tangible transmigrated form." For this purpose they spread out a sheet of native cloth on the ground near where one had been killed in battle or drowned, praying that they might obtain the spirit of the deceased. "The first thing that happened to alight on the sheet was supposed to be the spirit. . . . Grasshopper, butterfly, ant, or whatever else it might be, it was carefully wrapped up, taken to the family, the friends assembled, and the bundle buried with all due ceremony, as if it contained the real spirit of the departed."[3] Again, in the ancient chronicles of Japan it is recorded that by an act of self-sacrifice a certain prince's concubine threw herself into the sea to calm a storm, and thus save him from shipwreck. She was drowned. After several days her comb was cast upon the beach, and it was solemnly buried in a great tomb made for it.[4]

I might go on with many other citations from different

[1] Pechuel-Loesche, *Volkskunde von Loango* (1907), 305, 210.

[2] Burton, *Mission to Gelele* (1864), ii. 79 n., 165; *Zeitschrift für vergleichende Rechtswissenschaft*, xxvi. 25.

[3] Turner, *Nineteen Years in Polynesia* (1841), 233; *Id.*, *Samoa a Hundred Years Ago* (1884), 150; *Internat. Archiv f. Ethnographie*, xviii. 165.

[4] *Rev. Hist. Rel.*, lv. 98 n., quoting the *Kojiki*.

parts of the world, but these are enough. The practice has its origin in widespread, if not universal, beliefs as to the nature of the soul and the requirements necessary to give it rest after death. In many cases the rights of the survivors are connected with the due performance of the sham burial, showing that it is deeply ingrained in social and juridical organisation, and not merely an occasional excrescence. Now in any of these cases, if the barrow were opened two or three thousand years after the funeral, not a trace would be found within it of the substances which had been buried there under the belief that they were in effect the burial of the dead person. The practices of which we have direct evidence in other lands we may reasonably surmise to explain the puzzle in our own. Willy Howe and other barrows, found "empty," were not simply cenotaphs; nor have the bones and other remains disappeared by decay. The deceased had probably died at a distance or in circumstances that rendered the body irrecoverable, and pious hands had buried in due form what was deemed the equivalent.[1]

Before I leave our ancient barrows there is one other problem to which I may refer as one that the ethnologist may perhaps help to solve. It was a common practice to bury with the dead arms, implements and vessels which he had used in his lifetime, or which might be deemed serviceable beyond death. But the practice was not universal; and since we know that it obtains among modern savages, the difficulty is to explain why we are so frequently disappointed by not finding what is called grave-furniture. "If it were thought," writes Canon Greenwell, "that in another world persons would pass through a state of existence similar to that which they had lived upon earth, and that it was therefore necessary to send them into that second state equipped with the

[1] The first writer to suggest this solution of "Prehistoric Cenotaphs" was the eminent Irish archæologist, Mr. Geo. Coffey, in *Proc. Roy. Irish Academy*, 3rd ser., iv. 16. Not himself an ethnologist, he had been directed to the solution by Sir James Frazer's article cited above.

essential means of such existence, it is difficult to understand why so few persons were laid in the grave with these provisions for the necessities of that after-life. This difficulty becomes greater when we consider the labour that was bestowed upon the barrows; showing, as it does, that neither care nor trouble was spared upon that which was connected with the funeral rites."[1] And he suggests that it was due to the poverty "of a people who were not possessed of much wealth of any kind;" or as an alternative that their religious faith in an after-life had not been accurately gauged by us.[2]

Now you will note that it was from ethnology that the explanation of grave-furniture was originally obtained. No doubt many articles of grave-furniture in our tumuli have perished by lapse of time and unfavourable conditions. The people who deposited celts and swords and pottery by the side of their dead friends did not deposit them alone. The pottery was filled with food or drink; the dead man or woman was not naked; weapons and tools of wood and other perishable but useful articles would not be forgotten. Still there is no evidence that any of these things were laid in many of the graves. For all that appears to the contrary they always were destitute of grave-furniture. Here again I think we may ask for light from ethnology. If we turn to the Kadars of the kingdom of Cochin in the south of India we find that any ornaments or trinkets that the deceased had at the time of death are buried with the body, but when the period of death-pollution—that is to say, of the mourning—has come to an end they are removed.[3] In the Trobriand Islands, east of New Guinea, inhabited by a Melanesian people, the natives adorn the corpse with all the ornaments the dead man had possessed, and put on the body "all his other valuables—in the first place his ceremonial axe-blades. The

[1] Greenwell, *op. cit.* 59. [2] *Ibid.*, 57, 121.

[3] Anantha Krishna, *Cochin Tribes and Castes*, i. (1909), 13. This practice also extends to the Malayans of Cochin, *Rep. Census of India*, 1901, xx. 176.

spirit is supposed to carry these away with him to Tuma," the abode of the dead. But it is only their ghosts that he carries away. According to the native explanation, "as the man's *baloma* [his permanent ghost] goes away and his body remains, so the *baloma* of the jewels and axe-blades go away to Tuma, though the objects remain." The *baloma* of the dead man carries these valuables in a small basket and makes from them an appropriate present to Topileta, the headman of the under-world, for showing him the way to Tuma. In fact, however, the corpse is most carefully stripped of all valuables just before burial, down to the poorest and least costly of them.[1] This economical practice is not uncommon in the Eastern Archipelago. At Wagawaga, at the eastern extremity of New Guinea, the ornaments belonging to the deceased, and with which he has been elaborately covered for the funeral ceremony, are removed from the corpse at the edge of the grave and kept by the relatives who have been employed about the last rites.[2] At the other end of New Guinea, in the Seranglao and Gorong Archipelago, the body is decked out with golden armlets, plates and valuable silken sarongs, or scarves; but it seems that in many of the villages the ornaments of gold at all events are not buried with the body.[3] On the Tami Islands, off the coast of what was German New Guinea, the dead man's neck and breast were adorned with beads and wild-boar-tusks contributed by his friends, an ornament of dog's teeth was laid upon his forehead, tortoise-shell armlets were placed on his arms, his pouch was filled with betel nuts for chewing, his lime-flask, tobacco, knife and whatever else he possessed in life were laid beside him, together with a dish of

[1] Malinowski, *J. Royal Anthrop. Inst.*, xlvi. 359.

[2] Seligmann, *The Melanesians of New Guinea* (1910), 610. A similar practice is recorded of the inhabitants of Tubetube, a small island off the coast (*ibid.*, 613).

[3] Riedel, *De Sluik- en Kroesharige Rassen tusschen Selebes en Papua* (1886), 183 *sq.*

food. But this was only for the brief period of the funeral ceremony. All valuables were removed before burial.[1] The Kotas of Southern India dress up a corpse with gaudy clothes and garlands of flowers, stick silver and sometimes even gold coins on its forehead, lay beside it iron implements and various kinds of food. They burn the body, but all the valuables are first of all removed.[2] Both in the Old World and the New, indeed, it is by no means unusual that a corpse lies (or sits) in state for a certain period, surrounded by all the possessions and adorned with all the ornaments owned by the deceased, and that these are carefully removed before it is finally disposed of. Although everywhere in the lower culture and among the more backward classes of highly civilised countries a funeral is an occasion of extravagant display, men learn even there a very considerable measure of economy, not to say niggardliness towards the dead and towards the spirit-world generally. Missionaries and scientific observers have made us familiar with the sham paper-money bestowed by the frugal Chinese upon the spirits. They are singular only in the ingenious form their frugality takes. Among other races men sacrifice food to the gods, and then eat it themselves, believing or making believe that the gods have consumed the spiritual part and considerately left the substance for their worshippers. The same process takes place with regard to gifts to the dead. In the Tirol people have brought themselves to believe that the dead cannot be happy who are buried with money or rings. A careful search is accordingly made to abstract all such objects out of tenderness to the departed, but purely for the benefit of the survivors.[3]

I venture therefore to ask whether it is not likely that

[1] Kohler, *Archiv für Religionswissenschaft*, iv. 343 *sq.*, quoting Bamler.

[2] Thurston, *Castes and Tribes of Southern India* (1909), iv. 25, 27. Among the Todas the custom seems the same (*ibid.*, vii. 156).

[3] von Zingerle, *Sitten, Bräuche und Meinungen des Tiroler Volkes* (1871), 49.

the prehistoric inhabitants of this country may not have been so poverty-stricken as Canon Greenwell suggests, but may have been animated by the same sentiments and may have made the same calculations as those which influence men in this particular the world over. There is nothing at least improbable in supposing that, as in the Trobriand Islands, axes, celts, knives, bows and arrows, vessels and utensils—either his own or the gift of friends—may have been heaped upon the departed, that he may have been held to have taken their spiritual essence to the other world and generously left behind the material part which might be of use to the survivors.

Let me turn to another range of subjects of which we cannot indeed always definitely say that they are the relics of the Stone Age or of the Bronze Age, but which at any rate have descended to us from unrecorded time when our ancestors were on a savage plane of civilisation, or at least in a state of barbarism comparable to that of many tribes known to us in the present day, or in quite recent times. I mean our rural customs and other practices now dying out before the schoolmaster and the newspaper. They are comprised under the name of folklore, and rightly interrogated have much to tell us about our forebears. That I may not weary you with an address already perhaps too long I will confine myself to one only, and it shall be a custom practised in our own county. At the village of Randwick, near Stroud, on the Monday after Low Sunday, there is annually celebrated a fair which is called Randwick Wap. On this occasion the freeholders are in the habit of choosing a "Mayor." When he is installed the essential point of the ceremony is that he shall be taken to the pool at the rear of the village, borne in a chair with very long legs by four men, who walk straight into the pool and there deposit the chair with its occupant. Whether His Worship is now actually ducked is a matter on which there are conflicting statements. There is no doubt a great amount of splashing, and the scene ends with

general horse-play.[1] The custom is very ancient. There is, I believe, a traditional account of its origin, which is no more than an ingenious guess by local wiseacres, without an atom of evidence. We may therefore disregard it and call in the ethnologist to our help.

Let us first notice a custom in the neighbouring county of Somerset. The people of Weston, near Bath, used to elect a mock-mayor. I do not know whether they do so still; but fortunately a description survives of the ceremony as performed in 1834. Weston was then a rural parish, though it claimed to be the "ancient city of the seven streams." A burlesque oath was administered to the "Mayor" by a gentleman who filled the office of town-clerk. By that oath "he bound himself to protect the rights, luxuries and comforts of the corporation; to maintain peace with Twerton [another rural parish] and all foreign countries; to protect the streams and water-courses, and to steal water when required for corporation purposes, and to use his authority exclusively for its benefit."[2]

It does not appear on what day the mock-mayor of Weston was inducted into these onerous duties; but what I want you to notice is that both in the case of Randwick and in that of Weston water plays a prominent part. In the one case the "Mayor" is brought into close contact with the water, and if in these days he is spared the actual baptism, there is enough to show that in former and ruder days he was hardly let off from a thorough sousing. In the other case His Worship swears to protect the streams and even to steal water when required. Now it is a common belief among barbarous peoples that the fruits of the earth are dependent upon the behaviour of the ruler. He is made

[1] *Gloucestershire Notes and Queries*, iv. 34, quoting the *Gentleman's Magazine*, Rudder, and Gloucester newspapers. See also Miss Fennemore, *History of Randwick* (1893), 53.

[2] *Gloucestershire Notes and Queries*, i. 33, quoting "a local newspaper."

responsible for a due supply of rain to cause the fruits to germinate and bear, and of sunshine to ripen them. In India drought and consequent famine are ascribed to the misdeeds of the government. In Africa every chief has his rain-maker, and in many cases he is the rain-maker himself. If rain will not come when wanted, and the chief fail to persuade it, the people get rid of him and try another. A generation ago the famous Lo Bengula made his reputation by happening to enter in state into his capital in the midst of a tremendous storm. His power over the elements, his subjects thought, was clear.

The proceedings adopted by some of these chiefs for making rain are, according to our ideas, curious.[1] On the Upper Nile each of them has a number of rain-stones which he keeps in a pot. "When he wishes to produce rain he plunges the stones in water, and taking in his hand a peeled cane which is split at the top, he beckons with it to the clouds to come, or waves them in the way they should go, uttering an incantation the while. Or he pours water and the entrails of a sheep or goat into a hollow in a stone, and then sprinkles the water to the sky." This method of procedure is called Imitative Magic. You produce the effect you want by imitating it. Where the gods are invoked you thus show them what you desire, so that it is evident to the capacity of the densest divinity. Where they are not invoked you cause the real thing yourself by mimicking it. If you are a believer in saints and have one (or an image of one) handy, it is rather a good thing to throw him into the water; he will quite understand. In France this is, or lately used to be, the practice. Near a place called Moulins-Engilbert there is a spring of St. Gervais, whither the inhabitants go in procession to obtain rain or fine weather, according to the needs of the crops. "In times of great drought they throw

[1] The examples mentioned in this and the following paragraph are taken from Sir James Frazer, *The Golden Bough, The Dying God* (1911), i. 273–349.

into the basin of the fountain an ancient stone image of the saint that stands in a sort of niche from which the fountain flows." "In several villages of Navarre prayers for rain used to be offered to St. Peter; and by way of enforcing them the villagers carried the image of the saint in procession to the river, where they thrice invited him to reconsider his resolution and to grant their prayers. Then, if he was still obdurate, they plunged him in the water, despite the remonstrances of the clergy. . . . After this rain was sure to fall within twenty-four hours." In Burma "the Shans drench the images of Buddha with water when the rice is perishing of drought."

In these cases the magical rite, originally performed as a charm to bring the rain, now looks like a punishment for withholding it. You will have anticipated already my conclusion, and seen that I interpret the rough-and-tumble at Randwick as a rain-charm. But I have still to mention one or two instances to show that human beings, as at Randwick, are treated like the images of saints. In Servia a girl is stripped to the skin and clad from head to foot in grass, herbs and flowers. Thus disguised, she is called the Dodola, and goes through the village with a troop of attendant maidens. They stop before every house; the Dodola keeps turning herself round and dancing, while the other girls form a ring about her, singing, and the housewife pours a pail of water over her. One of the songs makes it clear that the object is to get rain. It runs:—

"We go through the village;
The clouds go in the sky;
We go faster,
Faster go the clouds;
They have overtaken us
And wetted the corn and the vine."

In Roumania a similar rite is performed; and it is noteworthy that it takes place regularly all over Roumania

on the third Tuesday after Easter—just at the same time of year as our ceremony at Randwick. In Kursk, a province of Southern Russia, when rain is much wanted, the women seize a passing stranger and throw him into the water, or souse him from head to foot. An Armenian rain-charm is to throw the wife of a priest into the water and drench her. The Arabs of North Africa fling a holy man willy-nilly into a spring as a remedy for drought. In Minahassa, a province of North Celebes in the East Indies, the priest bathes as a rain-charm.[1]

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But I need not prolong the list. Drenching with water is a rain-charm among widely-sundered peoples; and probably in the ages far back beyond our recorded history it was commonly practised in Britain. If it be difficult to produce any direct evidence that such was the case, there is at least a very circumstantial description of the practice in a tale in that great Welsh story-book, the *Mabinogion*. The tales in the *Mabinogion* are of various origins. The particular tale from which I am going to quote is in some way related to a French Arthurian romance by Chrestien de Troyes. Exactly how it is related is at present unsettled; but the probability seems to be that it is in essence a native Welsh tale, which has undergone the influence of chivalry introduced into Wales by the Norman Conquest. In this tale Kynon, one of the knights of Arthur's Court, is telling of some adventures he has had. He sets out to find an extraordinary woodward, or gamekeeper, of a certain forest, who can direct him. "Then I inquired of him the way, and he became very rough in his manner to me; however, he asked me whither I would go? And when I told him who I was and what I sought, he directed me. 'Take,' said he, 'that path that leads towards the head of the glade, and ascend the wooded steep until thou comest to its summit; and there thou wilt find an open space like to a large valley, and in the midst of

[1] Compare also the Anyanja practice recorded by Miss Werner, *The Natives of British Central Africa* (1906), 56, 76.

it a tall tree, whose branches are greener than the greenest pine-trees. Under this tree is a fountain, and by the side of the fountain a marble slab, and on the marble slab a silver bowl, attached by a chain of silver, so that it may not be carried away. Take the bowl and throw a bowlful of water upon the slab, and thou wilt hear a mighty peal of thunder, so that thou wilt think that heaven and earth are trembling with its fury. With the thunder there will come a shower so severe that it will be scarce possible for thee to endure it and live. And the shower will be of hailstones; and after the shower, the weather will become fair, but every leaf that was upon the tree will have been carried away by the shower. Then a flight of birds will come and alight upon the tree; and in thine own country thou didst never hear a strain so sweet as that which they will sing.' " The knight of course follows the direction thus given him, and verifies the woodward's account.

Now, admitted the exaggeration not improper to a romance in which the line between the real and ideal, the natural and supernatural, the possible and impossible, has been obliterated, it is I think undeniable that this incident has been consciously framed and modelled on a rain-charm. That and nothing else is what it describes, but magnified and glorified by the romancer's imagination.

The tale thus told cannot be dated later than the thirteenth century. If, as I believe, it be originally Welsh, rain-charms of this kind must have been previously practised in Britain, and have been familiar enough to both teller and audience to make the incident readily intelligible. If on the other hand the tale were originally French, the rain-charm is only removed from this island to Northern France; and the population of that country was so much of the same blood and culture as our own, that if such a rain-charm were used in the one country we may reasonably suspect it was used in the other also. I may add that rites at wells in both countries lead to the belief that similar charms were practised

in both. In the story there is no person to be drenched in order to bring on the shower; it is sufficient to drench the stone. But these are only two variant forms of the same rite. As a serious rite the charm has long ceased to be practised here; where it still obtains, as at Randwick, its meaning has been quite forgotten. At Weston, near Bath, we probably have an instance where a reminiscence of the object is preserved in the words of the burlesque oath, but the actual drenching has been dropped.

It has been my aim in collecting and presenting to you to-day these few examples of the assistance that ethnology can render to our special studies to impress upon you the utility of extending our inquiries beyond the immediate subject of our interest as archæologists. By all means let us pursue the main theme for which we as a Society exist. But we shall do this better, and not worse, if we look occasionally beyond the boundaries of archæology, beyond the past of our own country, at the customs, arts and beliefs of living communities in other parts of the world, and seek to learn what is said and done in similar circumstances and on a plane of culture like that of our forefathers whose monuments and remains we are trying to understand. Time has forbidden me to do more than touch upon customs and belief; but I need not say that other matters, such as technology and economics, yield results equally useful. Geology, geography, history and even literature, ancient and modern, can be disregarded only at our peril. The unity of knowledge is in fact a truth which we can none of us neglect; and the more we realise it, and the better we keep it in view as a guiding principle, the more fruitful our researches will be. It only remains for me to apologise for the tedium I have inflicted upon you and to release you without further delay.

GLOUCESTERSHIRE FONTS.

(*a*) FIFTEENTH CENTURY.

By ALFRED C. FRYER, Ph.D., F.S.A.

A large number of fonts were constructed between the closing years of the fifteenth century and the Dissolution. Few fonts, however, were designed during the thirteenth and fourteenth centuries; but a very considerable number were carved in the Perpendicular Period. The reason for this is probably a pure matter of art. The heavy, massive Norman fonts made in considerable numbers during the twelfth century appeared out of keeping when placed under the lofty arcades of the fifteenth-century churches, while the floods of light from the now expansive windows caused them to seem incongruous amid their new surroundings. Thus it came about that the architects and masons of that age made fonts to harmonise with their magnificent Perpendicular buildings.

Some of these fifteenth-century fonts were simple in form, like those at Ampney Crucis (Pl. i.), Shipton Sollers (Pl. vi.), and Twyning (Pl. ii.); others again were more elaborate, like those at Abbenhall (Pl. i.), St. Werburgh, Bristol (Pl. iv.), Northleach (Pl. v.), and Saintbury (Pl. v.). Very few tub-shaped fonts are met with in this period,[1] and with the exception of the bowls at Abbenhall (Pl. i.) and Twyning (Pl. ii.) the fonts treated in this paper possess pedestals and the whole series are octagonal in form.

The rectangular panels of the octagonal bowl with its chamfer gave ample scope for artistic treatment either

[1] Examples may be seen at Lindfield (Sussex), Penshurst (Kent), Pitminster (Somerset), and Carfax (Oxford).

with sculpture,[1] panels with shallow niches,[2] four-leaf ornamentation,[3] shields charged with armorial bearings[4] or representations of the angelic host.[5] Angels were early made use of in English art. They are seen in Saxon and Norman work, while in the thirteenth century they are met with in many of our great churches,—for example, on the west front of Wells, in the spandrels of Worcester Cathedral and Westminster Abbey, on the old choir screen at Salisbury, and in the famous angel-choir at Lincoln. They were very popular in art during the fourteenth and fifteenth centuries, and were freely made use of at Beverley, Exeter, Tewkesbury, Gloucester, and other great abbeys and cathedral churches, while they may be frequently seen on the fifteenth-century timber roofs of parish churches and as decorative adjuncts on tombs, fonts, etc. This form of decoration may be seen on the bowl of the font of St. Werburgh, Bristol (Pl. iv.) and on the chamfer of the one at Northleach (Pl. v.).

Figure sculpture on fonts was freely made use of in the twelfth century, but was employed sparingly during the thirteenth and fourteenth centuries. This is, however, a characteristic of many fonts designed in the fifteenth century, and of those made in the earlier years of the sixteenth century.

The fifteenth-century churches were glorious in beautiful schemes of decoration. The great roods with their figures, the elaborate screens, the stone pulpits, the painted windows, the reredoses with their alabaster tables, and even the walls were resplendent in colour and gilding. The fonts, too, were in no way neglected. Their adornment in colour has in most cases disappeared; but on the bowl at Saintbury some vestiges of the original white and red may still be detected.

[1] Northleach (Pl. v.).
[2] St. Mary Redcliffe, Bristol (Pl. iii.).
[3] Saintbury (Pl. v.).
[4] Abbenhall (Pl. i.).
[5] St. Werburgh, Bristol (Pl. iv.), Northleach (Pl. v.).

The font at Twyning (Pl. ii.) was made probably in the early years of the fifteenth century, and the chamfer of the octagonal bowl is so deep that there only exists a narrow band between it and the plinth. This font, as well as those at Ampney Crucis (Pl. i.), Ampney St. Peter (Pl. ii.), and Shipton Sollers (Pl. vi.), is now quite plain; but originally they would, in all probability, be decorated with quatrefoils, shields hung on guiges emblazoned with the armorial bearings of the donor's family, emblems of the Passion and other devices. The Post-Reformation churchwarden hid all this beautiful art work under clouds of whitewash, sky-blue paint, or coloured the stone to resemble marble. This has all been scraped away, and with the whitewash and imitation marble the rich gilding and varied colouring of the original painting have, in nearly all cases, disappeared.

The font in St. Mary Redcliffe, Bristol (Pl. iii.), is of unusual interest, as it is constructed from the same stone as the church, being attached to the western face of the westernmost pier of the south nave arcade. The attached shafts of this pier have been cut away three and a quarter feet above the rim of the font, and they rest on a bracket [1] supported by a half angel [2] vested in alb and holding a heater-shaped shield [3] still showing the remains of an inscription. Originally the angel was painted, and probably the lettering on the shield would be in gold. Below the bracket are the fragments of another inscription with the initials R.P. and the date 1767. Over the font is suspended a golden dove, [4] emblem of the Holy Spirit. The octagonal bowl is adorned on each face with two shallow trefoil-headed niches, while the chamfer is richly ornamented with boldly-carved conventional foliage. The font would have appeared more important when it was painted and gilded and possessed a wooden canopy; nevertheless, it is a remarkable fact that in the early years of the

[1] 3 ft. 3½ in.
[2] 1 ft. 2 in.
[3] 10 in. by 8 in., and ⅝ in. thick.
[4] 1 ft. in length.

fifteenth century a font should have been made for so important a church without being raised on even one step, and hidden away behind the westernmost column of the south nave arcade.

The font at Saintbury (Pl. v.) is a pleasing design, having a band of star pattern round the top of the bowl and a similar one on the chamfer, while each face has a large four-leaf flower projecting one and a half inches. The pedestal possesses a central shaft with eight attached pillars having bases and capitals.

The old church in Bristol dedicated to the Mercian princess, St. Werburgh, stood in Corn Street, and the east end joined the upper part of Small Street. It was taken down in 1877 and re-erected on another site. Sometime before this date the church was provided with a new font, which was removed when the edifice was rebuilt in another part of the city. The discarded fifteenth-century font (Pl. iv.) found a home in the tower of the church in Corn Street; and when the tower was taken down the font came into the hands of the contractor, who gave it to a friend of his residing in a small house in Bath Road, Bristol. The new owner kept the font in his garden for many years, exposed to the weather. On his death it was sold to Mr. Joseph Rogers, who made use of it as a flower-pot on the lawn of Longreach House, Keynsham, where I was invited to study it. On my discovering that the font originally belonged to the Church of St. Werburgh, Bristol, Mr. Rogers was willing to sell it for the price he had paid for it. Mr. Alfred E. Hudd, F.S.A., the late Mr. R. Hall Warren, F.S.A., myself, and a few friends bought it and presented it in 1905 to the rector and churchwardens, who were as glad to receive it back again as their predecessors appeared anxious to part with it some thirty years earlier.[1] The panels are adorned at the corners with a kind of scallop-shell pattern. The first panel is plain, and the second

[1] See *Proc. Clifton Ant. Club*, vol. vi., pp. 77–78.

possesses a half angel with a nimbus round the head and holding an uncharged shield with one hand placed on the top and the other on the bottom. The third panel has a half angel sculptured upon it, holding some object now defaced; while the fourth has a kneeling angel, who carries a long scroll in both hands. There is no inscription on the scroll. The fifth panel has a cross with equal arms, having fleur-de-lys ends; and the sixth contains an eagle with a nimbus holding in its beak a long unlettered scroll. The seventh panel is plain; while the eighth has a half angel with clasped hands, and possessing most beautifully sculptured wings. The font has been coated with paint, which has assisted in preserving it during the many years it has been exposed to the weather. Originally it would have been richly gilded and coloured, and the scrolls would probably have had texts or inscriptions painted on them, and the shields would have been charged with armorial bearings or possibly the emblems of the Passion. The eagle with its nimbus was evidently intended for the emblem of St. John the Evangelist.

The octagonal font at Abbenhall (Pl. i.), made of local sandstone, was carved about the middle of the fifteenth century, and is considered to have been the gift of the Free Miners and Free Smiths of the Forest of Dean. Each face of the bowl is adorned with two lozenges containing quatrefoils, while the chamfer is ornamented with eight heater-shaped shields of arms:—

No. 1. The Cross of St. George—*or, a cross gu.*

No. 2. Stafford, Dukes of Buckingham—*or, a chevron gu.*

No. 3. Device of the Free Smiths, set heraldically as two horseshoes between as many smiths' tongs, all palewise.

No. 4. Device of the Free Miners, consisting of six miners' picks and two shovels.

No. 5. Beauchamp, Earls of Warwick—*gules, a fess between six crosses crosslet.*

No. 6. Abbenhall, of Abbenhall—*or, a fess gules.*

No. 7. Serjeaunt, of Longhope—*argent, a chevron, between three dolphins, embowed, sable.*

No. 8. Beauchamp as before.

The Dukes of Buckingham were the wealthy and powerful Lords of Thornbury Castle, while the Earls of Warwick were connected with Gloucestershire, and as early as 1282 William de Beauchamp, Earl of Warwick, was Constable of St. Briavel's Castle and Warden of the Forest of Dean. The earliest coat of arms of the Serjeaunt family had no chevron, and was simply *argent, three dolphins naiant embowed sable.* The coat is well known in 1543 (*Glouc. Vis.*), and helps us in proving that the Serjeaunts might be here in the fifteenth century. Mr. F. Were draws our attention to the fact that the Longhope branch of this family[1] were differenced by a chevron.[2]

The craftsman who made this font was probably a local mason, and not very clever in portraying armorial bearings. His effort to depict the dolphins on the escutcheon of arms for the Serjeaunt family was a hopeless task; and they are quite unintelligible. On the outer face of the west wall of the tower is a carved heater-shaped shield hung by a guige within a quatrefoil.[3] Here the device of the Free Miners is set out heraldically as: Quarterly, 1st and 4th, *three miners' picks in pale, 2nd and 3rd two shovels in fess, handles upwards.* Had the craftsman who designed the font adopted this arrangement it would have been more in accordance with the rules of heraldry than showing three picks in each of the upper

[1] *Glouc. Vis.* 1683.

[2] Bigland says the Serjeaunts were at Longhope in his time. He died in 1784, having collected material for a history of Gloucestershire which was in part published by his son.

[3] An illustration of this carving is given in *Trans. B. and G. Arch, Soc.*, vol. iii., p. 303; and the devices adopted by the Free Miners and Free Smiths are engraved in Nicholls' *Iron-making in the Forest of Dean*, p. 26.

quarters of the shield and one shovel in each of the lower ones.[1] Some writers have called the devices adopted by the Free Miners and Free Smiths of the Forest of Dean armorial bearings; but it is not at all likely that they were ever confirmed by the College of Arms. Mr. F. Were considers that they were designed to represent the donors of the font at Abbenhall, and might be more properly called trade-marks with a semblance of heraldry. The Fraternity or Guild of Miners of the Forest of Dean is of ancient date, and was established before the year 1300. They possessed many privileges and regulations; and the manufacturers of iron at Caerleon, Newport, Berkeley, Monmouth, and Trelleck[2] were connected with smithholders living in the forest and supplying the ore.

Local guilds were very numerous in the fifteenth century, and they frequently possessed an aisle or chantry in their parish church.[3] In the centre of this ancient mining district we are not surprised to find that the local fraternities presented a font to embellish their church at Abbenhall.

A large human head is carved in the centre of each of the panels on the octagonal bowl at Northleach (Pl. v.). These heads are sculptured boldly; six are men with wavy hair falling below the ears and long drooping moustaches, one is a priest, and one is a woman with a round full face. The chamfer is adorned with eight demi-angels having extended wings and playing on musical instruments. Three of these

[1] On the sinister side of the shield on the tower, within the cusping of the quatrefoil, appears a human head, wearing a miner's cap.

[2] It is remarkable that heaps of cinders have been found at these places, indicating that iron ore was worked and smelted from very early times. See Nicholls' *Forest of Dean*, p. 15.

[3] The upper horseshoe in the device on the font for the Free Smiths is still quite perfect, but the lower one has disappeared and some portions of the tongs are lost. The picks and shovels in the device for the Free Miners are in good condition.

are viols,[1] a pair of tabours, and a psaltery; two of the others were probably double flutes, by the position of the hands, for the instruments are now seriously damaged; while it is quite impossible to say what the eighth has been.

The viol is a stringed instrument a little larger than a violin; it was furnished in England with three to six strings and a fretted finger-board. This instrument was played with a bow, and is depicted in illuminated manuscripts as early as the eleventh century.[2] The viols played by the angelic minstrels on the Northleach font are oval in form.

The pipe and tabour[3] are frequently associated in

[1] The viol family trace back their ancestry through the south of Europe to the East, the real home of all bowed instruments. One of the characteristics of the family is the shape and back of the instrument. One class possesses no separate sides or ribs; and the convex back fits on the oval front. The other class has backs and side-ribs and was incurved in outline near the middle of the instrument—slightly in some cases and in others with a more pronounced waist. An early fourteenth century minstrel in the presbytery vault of Exeter Cathedral is performing on a viol of an unusual size; another may be seen in the minstrel's gallery of the same church; a well carved viol with four strings is on the back of the reredos of Beverley Minster, and another on the Percy shrine of the same church; while in Manchester Cathedral a fifteenth-century angel is playing on a viol of a rectangular shape with ribs and a flat back. See "The Carvings of Medieval Musical Instruments in Exeter Cathedral Church," by E. K. Prideaux, *Arch. Journ.*, vol. lxxii., pp. 1–36.

[2] See Greek MS. (*Brit. Mus. Add.*, 19352) showing viol with incurved sides and a well-formed head with eight pegs inserted in the side. The illumination was made by Theodore of Cæsarea in 1066. In the Library of Trinity College, Cambridge (0.4.7.) is an illustration of a twelfth-century viol.

[3] The pipe and tabour of early fourteenth-century date may be seen in a MS. (Brit. Mus.) which is reproduced on Pl. 28 in Galpin's *Old English Instruments of Music*. The pipe used with the tabour was small in construction, as it had to be held in the hand. It had three holes, two in front and one behind for the thumb. A scale of more than an octave could, however, be produced from it, as it was over one foot in length. A pipe and tabour may be seen in a painted window-head in the Church of Higham Ferrers, Northamptonshire, and on a misericord in Exeter Cathedral. These examples show one player seated and the other kneeling; but the space at the disposal of the artists necessitated these positions, for in reality the performer always stood when playing the tabour and pipes.

medieval times with minstrels who frequented fairs and merry-makings; yet, nevertheless, they are met with in the thirteenth-century angel-choir at Lincoln, and played by other angelic minstrels in some of our larger churches. The tabours carved at Northleach are shallow and circular in form, and are therefore typically English. When the "snare" or vibrating cord stretching across the parchment is not carved it would be probably painted on the instrument.

The psaltery[1] was a musical instrument very popular with medieval musicians. The word psaltery frequently includes the dulcimer, but the chief difference between these two instruments was the mode of vibration of the strings. The fingers vibrate them in the case of the psaltery with a little plectrum, while those of the dulcimer were struck with small hammer-rods. The instrument held by the angel on this font shows a shallow rectangular case over which the numerous strings are stretched. The earlier English instruments of this shape were held upright like a harp; but the one at Northleach gives the later form, which was usually laid flat on the knee or on the table. In the Beauchamp Chapel, Warwick, is a fifteenth-century painted window (1447) showing an angel standing by a table playing on a psaltery, while in another window of the same date an angel holds a large psaltery horizontally, and a second angel plays on it with both hands. This representation seems to imply that the angelic musician was playing it with the fingers.

The other musical instruments have been damaged seriously, but the position of the hands indicate that they were wind instruments. The Rev. R. Charles S. Jones, M.A., Vicar of Northleach, drew my attention to four angels sculptured on the vaulting of the tower playing on the viol, tabour, psaltery, and double flute; and from this arrangement we may conjecture that two of the three missing instruments

[1] The psaltery had an Asiatic origin, and after its introduction into England it remained in fashion until the sixteenth century, when the dulcimer with its little hammer-rods superseded it. The psaltery is still played in Spain and in the Canary Islands.

on the font may have been double flutes. The vertical flute was much in favour during the fourteenth century, and may be seen in the hands of one of the angels on the minstrel's gallery (1353) in Exeter Cathedral. At a later date this instrument was known as the single recorder, yet even in the thirteenth century its double form appears in the hands of an angelic musician in one of the spandrels in the angel-choir of Lincoln Cathedral. "Originally," Miss E. K. Prideaux says in her paper on "The Carvings of Medieval Musical Instruments in Exeter Cathedral,"[1] "it consisted of a tube slightly graduated from the small upper end for the mouth to the lower extremity, which sometimes opened out into more of a bell. This tube, or pipe, was not furnished with a reed, like a hautboy, but had a whistle-mouth, very imperfectly shown here [minstrel's gallery, Exeter Cathedral], which is still in modern times represented by the familiar flageolet. It had a varying number of holes for the fingering, but in this specimen, and in other early ones, they are not many. Double recorders, or whistle-flutes, were also very popular, and must have been very difficult to play, as the two pipes, sometimes uniting in one mouth-piece, and sometimes furnished with two, had to be fingered simultaneously, one hand for each." Milton evidently thought highly of flutes and recorders when he said :—

> "Anon they move
> In perfect phalanx to the Dorian mood
> Of flutes and soft recorders."[2]

This fifteenth-century Northleach font bears so strong a resemblance to East Anglian craftsmanship, that we feel sure there must have been an intimate connection between Northleach and some art centre in the eastern counties at a date when beautiful works were filling the churches of Norfolk and Suffolk. At an earlier date there was certainly an indirect connection ; for the great Abbey of St. Peter of Gloucester

[1] *Arch. Journ.*, vol. lxxii., p. 17.

[2] *Paradise Lost*, bk. i., line 549.

held the livings of the Churches of St. Peter Mancroft, Norwich, and St. Peter and St. Paul of Northleach. However, in 1388 the Rectory of St. Peter Mancroft passed to the Collegiate Church of St. Mary, Norwich. At any rate, there was a bond of union between Northleach and East Anglia in the fifteenth century, when rich merchants of the Staple visited Northleach to purchase wool. In the Cely Papers[1] we find how these buyers of wool frequently came to Northleach, remaining in the Cotswold district sometimes for two or three weeks at a time. It is, therefore, not altogether unlikely that either Richard Cely, or his son, suggested to one of their Northleach friends the name of some East Anglian craftsman who could be trusted with the work of carving a new font for their parish church.

It is strange how little the men of each age cared for the work of their predecessors, if it were rude in character or did not suit their taste. We have already drawn attention in one of our earlier papers[2] to the case of Ampney Crucis, where the cylindrical Norman bowl was discarded and only recovered in recent years. It now rests on the inverted octagonal bowl made some fifty years ago, which was an exact replica of the fifteenth-century bowl. This earlier bowl (Pl. i.) has now been recovered, and is preserved in the church. The bottom has been removed, and it has done duty as a cover for a draw-well for more than half a century.

[1] *The Cely Papers* have been edited by Mr. Henry Elliot Malden, M.A., for the Royal Hist. Soc. (1900), and they contain selections of correspondence and memoranda of the Cely family—merchants of the Staple, A.D. 1475–1489. They bought of John Busshe and John and Wylliam Mydewynter of Northleach. Midwinter is still a Gloucestershire name. Purchases of wool at Northleach are mentioned twelve times in these letters. On one occasion Richard Cely, the younger, remained three weeks in the Cotswolds, and in a letter to his brother George, dated 13th May, 1482, he unfolds a love affair with a lady at Northleach; and the epistle is quite idyllic in contrast with the dry business details of his ordinary letters.

[2] See *Trans. B. and G. Arch. Soc.*, vol. xxxiii., p. 295.

In 1846 the fifteenth-century font at Bitton was encased in stone. A sketch of this font may be seen in the Ellacombe Manuscripts, vol. xi., at the Bristol Free Library. The sketch shows it to have been a plain octagonal bowl with a moulded chamfer, a plain octagonal plinth and a moulded base.

GLOUCESTERSHIRE FONTS.

(*a*) Fifteenth Century.

C=Circumference. H=Height. D=Depth. R=Rim. Diam.=Diameter. Ext.=Exterior Int.=Interior.

	Bowl.	Pedestal.	References.	Remarks.
Abbenhall (St. Michael).	Octagonal bowl with deep octagonal chamfer. Each face adorned with two lozenges containing quatrefoils (8½ in. by 5½ in.). D. Ext.=2 ft. 2 in.; Diam. (top)=1 ft. 10 in., (bottom)=1 ft. 8½ in.; R=5 in. to 6 in. Each face of chamfer (1 ft. 2 in. by 11½ in. by 9 in.) contains a heater-shaped shield (10 in. by 8 in.). For description see page 43.	Short circular pillar (H = 4 in., C = 5 ft. 4 in.), standing on modern octangular plinth and modern step.	*Bristol and Glouc. Trans.*, iii., p. 302 (Devices for Free Smiths and Free Miners, illustrated); vi. pp. 264 and 277; Glynne's *Glouc. Church Notes*, p. 104; Nicholl's *Iron Making in the Forest of Dean*, p. 26; Nicholl's *Forest of Dean*, p. 15.	....

	BOWL.	PEDESTAL.	REFERENCES.	REMARKS.
AMPNEY CRUCIS (Holy Cross).	Plain octagonal bowl. Each face=1 ft. 7 in. by 1 ft. Diam.=1 ft. 9 in.; R=5 in. to 6½ in.	....	Sir Stephen R. Glynne visited this church on 25th April, 1869, and remarks that the font has "a plain octagonal bowl on a stem." The bowl then in use was a replica of this fifteenth-century font. See Glynne's *Glouc. Church Notes*, p. 146; *Bristol and Glouc. Trans.*, xxxiii., p. 295.	....

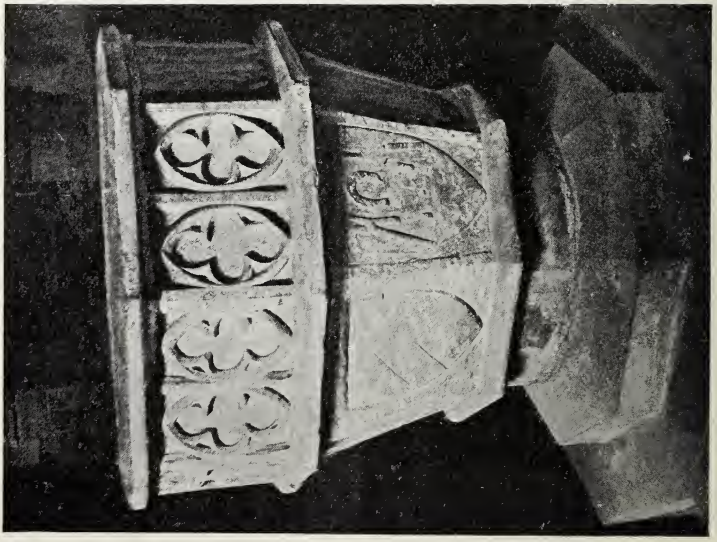
AMPNEY ST. PETER.	Octagonal bowl, having narrow ledge 7 in. from top adorned with a scallop pattern on eastern face. Each face 11 in. at top and $7\frac{3}{4}$ in. at bottom. D. Ext.=1 ft. 6 in.; D. Int.=$11\frac{1}{2}$ in.; Diam. (top)=1 ft. 7 in., (bottom)=1 ft. 7 in.; R=4 in. to $4\frac{3}{4}$ in.	Octagonal pedestal: H=8 in. Each face (top)=10 in., (bottom) =8 in. Octagonal plinth ($7\frac{3}{4}$ in. by 11 in.). Modern step.	Cox's *Gloucestershire*, p. 49.	....
BITTON (St. Mary).	Octagonal bowl with unadorned faces and moulded chamfer encased in stone in 1846.	Octagonal pedestal with plain faces and moulded base. Each face=7 in. in width.	*The Ellacombe Manuscripts*, xi. (Bristol Free Library) contain sketch of old font. Ellacombe's *History of Bitton*, p. 17.	A subscription list for a fund to encase the font in stone (1846) may be seen in the Ellacombe Manuscripts, xi. (Bristol Free Library).

	BOWL.	PEDESTAL.	REFERENCES.	REMARKS.
BRISTOL (St. Mary Redcliffe).	Each face of octagonal bowl adorned with two shallow trefoil-headed niches in rectangular panels, while chamfer is richly ornamented with conventional foliage boldly carved. D. Ext. =2 ft. 1 in.; each face =1 ft. 1 in. by 1 ft. 1 in.; D. Int.=1 ft. 1 in.; Diam.=2 ft. 0½ in.	Short octagonal stem having mouldings top and bottom. Each face=8 in. by 7 in. Octagonal plinth=10 in. by 7 in.	*Sketches* by Thomas Pope, i., p. 62 (Bristol Free Library).	....
BRISTOL (St. Werburgh).	Octagonal bowl with moulded chamfer. See p. 42 for description of panels. The rim is ornamented with four incised rectangles on each face. D. Ext.=1 ft. 10 in.; D. Int.=1 ft. 3 in.; Diam.=2 ft. 4 in.; R. =4 in. to 5 in. Each panel=9 in. by 9 in., and adorned at the corners with a kind of scallop-shell pattern.	Octagonal shaft. Each face=9½ in. by 3½ in., having moulded capitals (4½ in. by 4 in.). Octagonal base (each face=5 in. by 2 in.) resting on portion of original step.	*Clifton Ant. Club Proc.*, vi., pp. 77–79 (illustrated), plate ix.; Robinson's *West Country Churches*, iv., p. 14.	....

NORTHLEACH (SS. Peter and Paul).	Octagonal bowl with a large human head in centre of each panel. Eight half-angels with outspread wings overlapping adorn the chamfer. Each angel plays a musical instrument. Three are viols, a pair of tabours, and a psaltery; the remainder are seriously damaged, but position of hands indicates that two were flutes (probably double flutes). D. Ext.=1 ft. 9½ in.; D. Int.=11½ in.; Diam. (top)=1 ft. 10 in., (bottom)=1 ft. 9½ in; R=3¾ in. to 4½ in.	Octagonal shaft (H=2 ft. 1 in.) having corner buttresses with stages and plain sloping set-offs, resting on the heads of grotesque monsters intended probably for evil spirits, whose bodies are being crushed under the weight of the font. The faces of the shaft contain cinquefoil - headed niches with moulded pedestals, but containing no statues. Low octagonal plinth, each face=8½ in. in width.	*Bristol and Glouc. Trans.*, vii., p. 28, xxx., p. 12; Glynne's *Glouc. Church Notes*, p. 14; Cox's *Gloucestershire*, p. 159.	....

	BOWL.	PEDESTAL.	REFERENCES.	REMARKS.
SAINTBURY (St. Nicholas).	Octagonal bowl with band of star pattern ($3\frac{3}{4}$ in.) round the top and another on chamfer. Each face is adorned with a four-leaf flower (5in. by 5in. and projecting $1\frac{1}{2}$ in.). D. Ext.=1 ft. 4 in., each face=1 ft. by $7\frac{1}{2}$ in.; R=3 in. to $3\frac{1}{2}$ in.; D. Int.=1 ft.; Diam. (top)=1 ft. $11\frac{1}{2}$ in., (bottom)=1 ft. 2 in.	The pedestal has a central shaft with eight attached columns (1 ft. $5\frac{1}{2}$ in.) having bases and capitals. Octagonal plinth ($9\frac{1}{2}$ in. by $3\frac{1}{2}$ in.) on modern step.	Lyson's *Glouc. Ant.* (illustrated), plate lxii.; Glynne's *Glouc. Church Notes*, p. 184.	....
SHIPTON SOLLERS (St. Oswald).	Plain octagonal bowl. D. Ext.=1 ft. 2 in.; Diam. (top)=1 ft. $8\frac{1}{2}$ in., (bottom)=1 ft. $6\frac{1}{2}$ in.; D. Int.=$8\frac{1}{2}$ in.	Octagonal stem (1 ft. $2\frac{1}{2}$ in.), octagonal plinth and circular base with roll at top. H=6 in., C=6 ft. 4 in.	....	....
TWYNING (St. Mary Magdalene).	Plain octagonal bowl with deep chamfer. D. Ext. =2 ft.; D. Int.=10 in.; Diam.=1 ft. 8 in.; R.= $2\frac{1}{2}$ in. to $3\frac{1}{2}$ in. Each face=1 ft. 1 in. by 10 in.	Octagonal band ($2\frac{1}{2}$ in.) between bowl and plinth. The circular plinth (H=$6\frac{1}{2}$ in.) is chamfered in an octagonal form to meet the chamfer of the bowl. Base (octagonal) modern.	Glynne's *Glouc. Church Notes*, p. 73; Cox's *Gloucestershire*, p. 209.	The Rev. Dr. Cox in his *Gloucestershire* considers this is a Norman bowl. This is evidently a mistake, as the font belongs to a much later period.

AMPNEY CRUCIS.

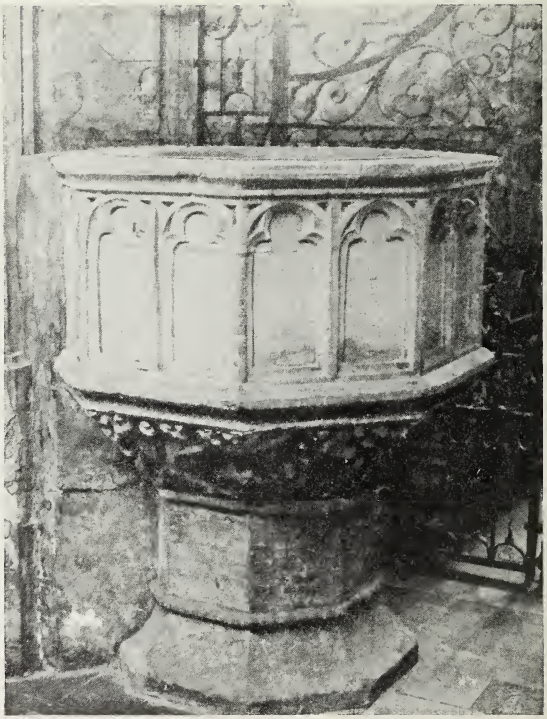


ABBENHALL

AMPNEY ST. PETER

TWYNING

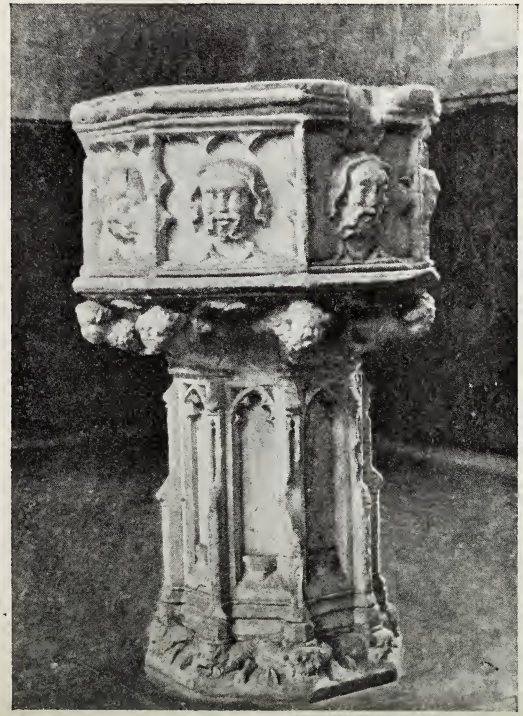
PLATE III.



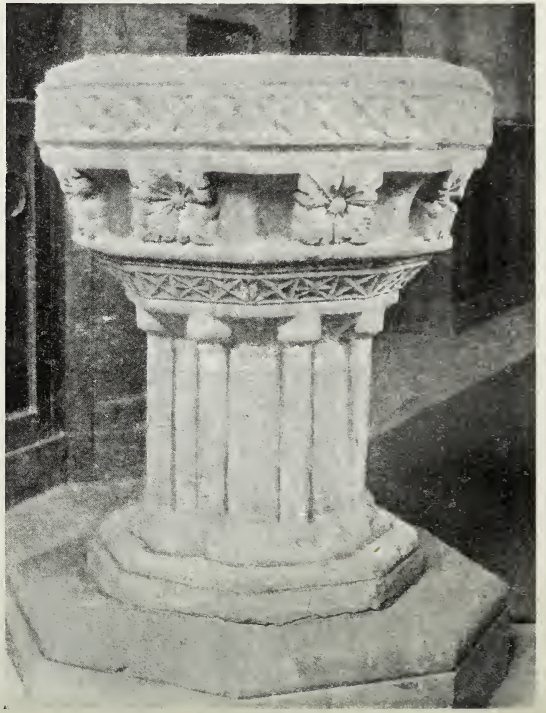
BRISTOL. ST MARY REDCLIFFE.

BRISTOL. ST. WERBURGH.
The font as it stood in the garden at Keynsham.

BRISTOL. ST. WERBURGH.
The font restored to the church.

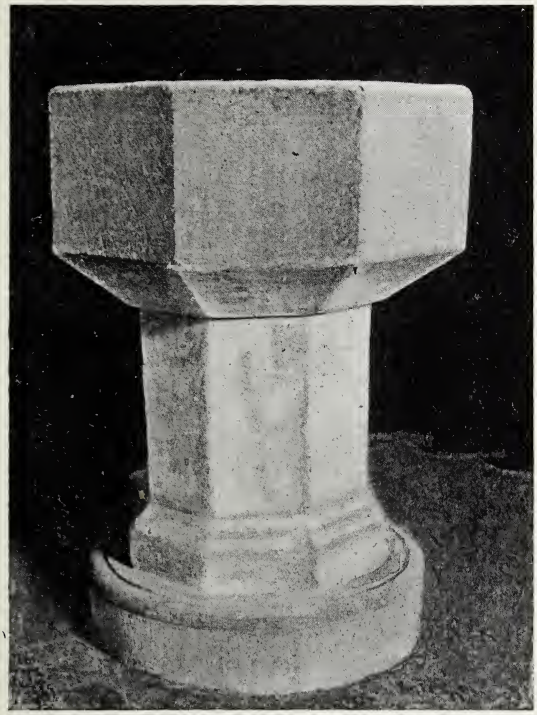


NORTHLEACH.



SAINTBURY.

PLATE VI.



SHIPTON SOLLERS.

THE NORMAN SETTLEMENT OF GLOUCESTERSHIRE.

By The Rev. C. S. TAYLOR, M.A., F.S.A.,
Vicar of Banwell.

What follows is an attempt to illustrate the circumstances of the Norman settlement of Gloucestershire from entries contained in the record of the shire in Domesday Book; and the word "settlement" is used purposely instead of "conquest," because so far as our shire is concerned it would seem that the conquerors settled into possession peacefully in consequence of events that had happened outside its borders. Indeed, the word "conquest" does not of necessity imply acquisition by force of arms. *Conquirere* meant rather to seek after, or to search into, than to subjugate; though no doubt the mediæval sense of the word was to bring under by force.[1]

The conquest of England began a quarter of a century before the Battle of Hastings by a process of peaceful penetration on the part of the Normans who followed in the train of the Confessor. The chief of these in Gloucestershire was Godgifu, daughter of Ethelred the Unready, and Emma, who appears as Goda, sister of King Edward, or as Countess Goda in virtue of her marriage with Eustace, Count of Boulogne, on the page of our Domesday. She came into England with her husband in 1051, and dying in 1057, left but little mark on our history; her estate of Hampton, now Minchinhampton, was given by the Conqueror to the Nuns of the Holy Trinity at Caen in 1082. He also gave her property at Horsley to the Benedictine Monastery at Troarn. Other

[1] Ducange, *Conquirere*, Armis comparare, Gall. Conquerir. *Conquisitor*, Victor gentium, qui populos subegit imperio.

estates belonging to her at Hasleton, Yanworth and Hawling were held in 1086 by Sigar de Cioches. Four hides at Aston-sub-Edge which had belonged to her were in 1086 in the possession of the Church of St. Mary at Lambeth, which church Count Eustace and his wife had given to the Cathedral at Rochester. None of her property seems to have passed to Ralph, her son, by her first marriage to Drogo, Count of Mantes, who came to England with Edward the Confessor on the invitation of Harthacnut in 1041, and prospered exceedingly. The signatures of Ralph begin in 1050 over Worcestershire. He probably succeeded Swegen as Earl over Herefordshire in 1051, and held the office until his death on December 21st, 1057, when he was buried at Peterborough. He held twenty hides at Sudeley and Toddington worth £40; the large number of *servi* and *ancillæ* are marks of a large establishment, and the estate is altogether abnormal both with regard to its high value and its great extent of wood. The stock of Earl Ralph took deep root in our soil, and he and his descendants have held Toddington for eight centuries and a half. As Earl Ralph was the first foreigner to hold a high secular position under King Edward, so Reinbald the priest was one of the leading ecclesiastics. He appears in Domesday as "Reinbald Canceler," who had held Eldersfield in Worcestershire in King Edward's days, and in the Berkshire Survey (f. 63a) as "Rainbald de Cirecestre," so we may suppose that the House of Canons there, of which he was Dean, was his home when he was not on duty at the king's court. He witnessed charters as "Presbyter" in 1050 and 1054; and as Chancellor he witnessed Earl Harold's Foundation Charter of Waltham Abbey in 1062. The great Foundation Charter of Westminster Abbey was also drawn up under his direction, and signed by him on Innocents' Day, 1065. He held also St. Aldhelm's Church of St. John Baptist at Frome, and the church at Cheltenham in our shire, and likewise lands near Cirencester, and in Dorset, Berks, Bucks and Oxfordshire, many of which formed part of the endowment of St. Mary's

Abbey at Cirencester, founded by Henry I., into whose reign he survived. Earl Ralph and Reinbald were chief men among a swarm of lesser aliens, many of whom were expelled at that great time in September, 1052, when Archbishop Robert and Ulf, Bishop of Dorchester, who did nought bishoplike, fled, cutting their way through the streets of London to seek safety beyond the seas. The Earl and the Chancellor remained, as being among those whom the king liked to have with him, who were true to him and to all his people.

The Battle of Hastings was fought on October 14th, 1066; and as Gloucestershire was one of those districts which sent troops to fight for King Harold, we cannot doubt that the Huscarles Rotlesc of Beckford and Tovi Widenesci of Barrington were among the heroes whose bodies lay near that of their king when night closed in. Wulfstan, Bishop of Worcester, came to submit himself to the Conqueror at Berkhampstead before his coronation at Christmas, and so very probably did Brictric f. Algar. In March, 1067, the Conqueror sailed for Normandy, taking with him among other Englishmen Stigand, Archbishop of Canterbury, and Æthelnoth, Abbot of Glastonbury; and he did not reach England again till December 6th. But the stern rule of Earl William Fitzosbern at Hereford and of Bishop Odo as Earl in Kent ensured obedience, even if it did not secure peace. The king's home-coming was marked by further confiscations, and also by a heavy tax. Very likely, however, our shire had not yet so come under the Conqueror's power as to be vexed by these troubles.

Mr. J. H. Round (*Feudal England*, p. 422) prints a writ of the Conqueror to Reinbald the Chancellor, which Sir Thomas Phillipps had published in *Archæologia*, xxvi. 256, from the Cirencester Cartulary: "Villelm King greets Hereman Bishop and Wulstan Bishop and Eustace Eorl and Eadrich and Bristrich and all my thegns in Wiltoneshire and in Glouc'shire friendly and I make known to you that I have

granted to Reinbold my priest the land at Esi and the land at Latton and all the things that thereto belong within the town and without with sac and with soc as full and as free as it best belonged to King Harold in all things for his life and after to dispose of as seemeth him best and I will not permit that any man deprive him of any of the things that I have given him by my friendship."

Hereman was Bishop of Ramsbury and Wulstan of Worcester; Earl Eustace was brother-in-law of King Edward; Eadrich was Sheriff of Wilts (D.B. f. 72b), who had been guilty of an encroachment on the king's estate of Chippenham, and Bristrich can hardly be any other than Brictric f. Algar. Latton and Eisey lie on the northern boundary of Wiltshire, near Cricklade; Earl Harold had united them into one estate. Mr. Round treats the writ as genuine, and indeed the only thing really against it is the title of king attributed to Harold, and this may have been a correction, or an insertion, of a copyist. The mention of Eadric is strongly in its favour; for with the exception that he is once mentioned in Domesday as Sheriff of Wilts little or nothing is known about him. Taking it as genuine, the writ is a most important one, for it must have been issued in 1067, before the treason of Earl Eustace at Dover. It is also of very great interest with regard to the Norman settlement of Gloucestershire, for it seems to show that Brictric f. Algar had at first submitted to the Conqueror, and also that he was acting as Sheriff in the early days of the Conqueror's reign. The writ is also very valuable as being a grant from the Conqueror to a private person, such as the Domesday Commissioners looked for in vain to testify to the right of Earl William to the possession of Beckford and Ashton-under-Hill; from this point of view I believe the writ is unique.

The Conqueror kept his Christmas at Westminster, when Remigius, who was afterwards the chief of the Domesday Commissioners for our district, was appointed to the bishopric of Dorchester. Early in 1068 King William set

out with a host of English and Normans to the reduction of Exeter, where the citizens had replied to his summons to surrender by a refusal. His way led through Dorset, and as the host marched it ravaged. The tall rampart at Wareham may have been a temptation to resistance; and as the king was beyond all measure stark to men who withstood his will, 150 houses out of 285 were still waste eighteen years afterwards; and the same fate befell 100 out of 172 houses at Dorchester, where only 88 houses were found in 1086. At Bridport 20 out of 120 houses were waste, and at Shaftesbury 80 houses out of 257 were destroyed.[1] Exeter stood a siege of eighteen days, but when the wall was mined it surrendered, and was treated mercifully. Gytha, however, the mother of Harold, escaped from the city, and other women with her, and took refuge on the Steep Holm; and the sons of Harold escaped to Dublin. Devon, Cornwall, with South and Western Somerset, were conquered; and the Earl of Moretain secured his possessions by the erection of a castle at Montacute. King William kept his Easter, March 23rd, at Winchester. Mr. Freeman[2] thought that at Christmas, 1067, the Conqueror was in possession of South-Eastern England, bounded by a line running from the Wash through Northamptonshire, Oxfordshire, Wilts and Hants, so that now North Somerset and Gloucestershire would have been shut in to the east and south by possessions of King William, and to the west by Wales and the sea. On Whit-Sunday, May 11th, the Duchess Matilda was crowned at Westminster, thus becoming the first woman who could be rightly called Queen of all the English. There is in the *Liber Albus* at Wells (a Chartulary belonging to the Dean and Chapter), a grant by the Conqueror of some 15,000 acres at Banwell to St. Andrew of Wells, which is accepted as genuine by Mr. Freeman, who said after an examination of the names of the witnesses that "the

[1] For the Dorset boroughs see Rev. R. W. Eyton, *Dorset Domesday*, p. 70.

[2] *Norman Conquest*, iv. 100.

meeting together of these bishops and earls is perfectly possible in the summer of 1068; it is not possible earlier or later;" and he thought that the charter was granted at the Whitsuntide gemot of 1068, when the queen was crowned.[1] There are 48 names of witnesses besides that of the king, and of these 28 may fairly be claimed as those of Englishmen—the king's court was still more English than Norman. Among the witnesses are some seventeen whose names are found in the Gloucestershire Domesday: Queen Matilda, Archbishops Stigand and Ealdred, Bishops Odo of Bayeux, Geoffrey of Coutances, and Wulfstan of Worcester, Earls William FitzOsbern, Robert of Moretain and Roger of Montgomeri, Thurstan fitz Rolf, Tofig, Sheriff of Somerset (probably in some instances at any rate the Tovi of our Survey), Dinni or Duns, Bundi Staller, Wulfweard, Herding, Brixi, and Brihtric. The only doubtful names are those of the English commoners. We should add also the name of Remigius, Bishop of Dorchester, the Chief Commissioner over the Survey of our shire. Many things happened between Whitsuntide, 1068, and the Christmas gemot of 1086 at Gloucester, when Domesday Survey was ordered; but it is pleasant to look back to the earlier date, when Englishman and Norman could meet as subjects of King William, the ruler over all.

Then it was told the king that the men of the north were gathered together, and would withstand him if he came; so the Conqueror went north. It may have been at this time that Oxford was so pitilessly harried that 478 houses were so wasted that they could not pay geld, and only 243 remained that could pay the tax; but we first hear of King William at Warwick, where only four houses were destroyed on account of the site of the castle. From thence he went to Nottingham and on to York, and then south again through Lincoln,

[1] *Somersetshire Archæological Proceedings*, xxiii. 49. The writer in the *Saturday Review* quoted by Mr. F. H. Dickinson was Mr. E. A. Freeman.

Cambridge and Huntingdon. It is evident that as soon as the Conqueror was in possession of Warwick, with Earl William FitzOsbern at Hereford, Gloucestershire was in his power, and it would certainly seem that the shire came under his dominion quietly and without bloodshed in the summer of 1068. While this was happening, one of Harold's sons came with a fleet from Ireland unexpectedly to Avonmouth. The point of attack was well chosen, for Harold and his brethren were well known in Bristol; in 1052 Harold and Leofwin had escaped to Ireland from that port in a ship which Earl Swegen had prepared, and in 1063 Harold invaded Wales with a fleet from Bristol. It is possible that Lewin's Mead takes its name from Leofwin, and with more probability we may identify "Seuin propositus de Bristou" in the reign of King Edward with Earl Swegen.[1] The invaders landed and plundered the district. Then they went to Bristol, and strove to storm the town; but the townsmen withstood them stoutly, and they could get nothing from thence, so they returned to the ships with their booty. Then they went up into Somerset, and Eadnoth the staller fought with them; many wealthy men were slain on either side, and those that were left departed thence. It is likely that the line of property belonging to the Bishop of Coutances in Domesday, which stretches from the sea to Winford, marks the course of the invaders till Eadnoth stopped them. The Avon seems to have been the dividing-line between the districts of Earl William and the Bishop of Coutances. But the bishop had control in Bristol; for the Survey records that the burgesses said that Bishop G(eoffrey) had 33 marks of silver and one mark of gold on account of the king's ferm, and the 112 acres of meadow and wood which he held in Bedminster were probably held by him as Constable of the Castle to guard the passage of the river. The castle certainly existed in 1088, when under the bishop and his nephew Robert it became one of the chief centres of the rebellion against William Rufus. We hear of

[1] See Cliftone in Sineshoved Hundred, D.B. f. 170.

no fighting north of Avon at this time. Bishop Wulfstan's estates of Westbury and Henbury extended from the Avon to Aust Cliff and from the sea to Bristol, and the invaders would have obtained no help from them. But the lands belonging to the Bishop of Coutances at Acton Ilger, Hambrook, Stoke Gifford, Doynton, Wapley, Earthcott, the Lea and Dodington were very likely forfeited at this time, when also it is more than likely that the old church at Westbury-on-Trym was plundered by the sea-robbers.

It certainly seems that Gloucester passed in peace into the hands of King William. The render of the city had very much increased. In the time of King Edward it rendered £36 by tale, with various customary dues; in 1086 the amount due was £60 by weight of 20 pence to the ounce, and £20 from the mint. The payment by weight was very much more onerous than the payment by tale; it was not enough to produce silver pennies to the nominal value of one pound, the scales were brought out, and one pound weight of silver coinage had to be paid. The only sentence in the account of the city which might seem to imply desolation is the last: "There were 16 houses where the Castle stands which now are not, and in the borough of the city are 14 waste houses"—no very large number for a borough of such importance that the king commonly held his great Christmas gemot there. In one place[1] Mr. Freeman seems to speak of a struggle which preceded the Norman occupation of Worcestershire and Gloucestershire. He is commenting on a passage in the Register of Richard Kyderminstre, Abbot of Winchcombe 1488–1531, quoted in Dugdale's *Monasticon*, ii. 302. The Abbot said that there are those who relate that the Minsters of Winchcombe and Pershore lost a large part of their possessions when William, Duke of the Normans, conquered this kingdom, because the inmates resisted him; but he adds: "Whether these things are true or not, I do not dare to write, because I do not find them in our ancient books." And he

[1] *Norman Conquest*, iv. 176.

goes on to write about the alleged imprisonment of Godric, Abbot of Winchcombe, at Evesham. We shall see that by far the larger part of the injury to Pershore was done before the Conqueror's time, and that the possessions of Winchcombe in the shire in 1086 were within half a hide of the amount possessed by the abbey in the days of the Confessor. I can find no evidence that there was any fighting in Gloucestershire, except at Bristol, in the early days of the Conqueror.

It is likely that the distribution of lands which were held to be forfeited began immediately; but there is nothing to show on what principles this distribution was made, or the methods which were used. But no doubt all was done in the name of King William, and his writ was given as a title. The Commissioners note with regard to Beckford and Ashton-under-Hill that the men of the county say that they had never seen a king's brief which testified that these lands had been given to Earl William. The sweeping away of the English landowners was very complete. Under the heading of king's thegns there is a pitiable list of nine owners who had held their little portions of land in the time of the Confessor, and two more who inherited their share from their fathers; all the rest of the lands of laymen had passed to the strangers. In three instances we recognise the action of the Conqueror himself, twice characteristically interposing to increase the area of the king's forest, and to protect a plundered church. He commanded that 6 hides at Wyegate should be thrown into the Forest of Dene; and when Earl William had given 3 hides belonging to the Church of Pershore at Dyrham to Turstin f. Rolf, Sheriff Durandus by the command of the king restored them to the Church. We do not commonly look upon the Conqueror as a match-maker, but we are told that when Alwin, Sheriff in the Confessor's time, was dead, King William gave his wife, with lands at Lower Guiting and elsewhere, to a certain young man of his named Richard. To him succeeded William Goizenboded, the Domesday owner; but possibly owing to the frequent changes of ownership the lands

were worth less than half their value in the Confessor's time. It is clear, however, that many of these changes were carried through by Earl William. He gave half a hide in the Hundred of Dudstan, which had belonged to Ulward, to a certain cook of his when Ulward was outlawed; and at Cirencester he put two hides now known as Wigwold out of the king's ferm, and gave them to a man of his own. In the king's estate of Berkeley he commended the services of two brethren to the Provost of Berkeley; at least Roger the Provost said he did so; and he annexed 4 hides at Hanley in Tewkesbury, where was a seat of Brictric f. Algar. About 1070 lands at Kyre Wyard, Clifton-on-Teme, Newent, Kingston in Weston-under-Penyard and Edwin Loach, were separated from the king's ferm in Westbury-on-Severn,[1] and as Newent was afterwards in the possession of Earl William and his son Earl Roger, no doubt Earl William made this separation. He joined Pontune and Pertaine to Earl Harold's Manor of Nass in Lydney; and in Lydney itself he created an estate out of four lands which he received from their owners, 3 hides from the Bishop of Hereford, 6 hides from the monks of Pershore, and 3½ hides from two thegns. When Stigand, Archbishop of Canterbury, was deposed at Easter, 1070, the earl annexed Tidenham, which belonged to Bath Abbey, but which had been leased to the Archbishop. From this estate he gave to his brother, the Bishop of Exeter, one virgate and one villein, to Walter de Laci 2 fisheries in Severn and 1 in Wye with one villein, to Ralph de Limesi 2 fisheries in Wye with one villein, to his Abbey of Lire half a hide with the church and tithe. He seems also to have annexed Chedworth, which had belonged to a thegn of King Edward, Beckford and Ashton-under-Hill, Tockington and Hempstead. At Beckford he gave 3 hides to Ansfrid of Cormeilles, and he gave the churches of Beckford and Ashton-under-Hill with 6 virgates of land to his abbey at Cormeilles. At Standish he gave 3 hides, which properly belonged to St. Peter of Gloucester, though

[1] *Transactions*, xxxvi., pp. 182, 220 n. 2.

the Archbishop of York held them, to Roger de Pistres, brother of Durandus; and St. Mary of Cormeilles held Newent by grant of Earls William and Roger. South Cerney was held in 1086 by Walter f. Roger; but Abingdon Abbey claimed it, and all the county testified that Stigand had held it for ten years during the life of the Confessor. Earl William had given it to Roger de Pistres, father of the Domesday owner. It is clear that some of these dealings were of doubtful legality. He had no right to alienate land belonging to the abbeys of Gloucester and Pershore; and clearly Tidenham and Cerney belonged by right to the abbeys of Bath and Abingdon; his claim to Beckford and Ashton-under-Hill was evidently doubted; and the somewhat sarcastic comment of the Commissioners, "so Roger says," marks the commendation of the brethren at Cromhall as doubtful in their eyes. All the activities of Earl William in Gloucestershire must be placed between the time when the district came under the power of the Conqueror and the time, late in 1070, when he went abroad to meet his death at Cassel, that is about two years and a half.

The best account of the effect of the Conquest on the life of the people is given in the Old English Chronicle for 1087, the year in which the Survey was compiled: "Even so was it in those days; there was little righteousness in this land among any men, except among the Monks alone who fared well. The king and the chief men loved covetousness much and overmuch in gold and silver; and they recked not how sinfully it were gotten, if only it came to them. The king sold out his land at the dearest bargain he could. Then came some other and bid more than the first bid, and the king granted it to him who bid more. Then came a third and bid yet more, and the king granted it to him who bid most of all, and he recked not how sinfully the reeves got it from the wretched people, nor how many unlawful things they did. And the more men spake of right law, so did they more un-law. They raised unjust taxes, and many other unjust

things they did that it were hard to tell." The points are the taxes, the unjust deeds of men in high places and the reeves, and the fact that though monks fared well the people were miserable; and our Survey illustrates all these points. The Confessor had a vision of the devil sitting on the money-bags, and he collected no Danegeld after 1051. On one occasion at any rate in his days the rate was 7d. a hide; but in 1084 the Conqueror levied a geld of 6s. a hide, and as the average annual value of a Gloucestershire hide in 1086 was £1 3s. 2d., this was equal to a tax of over 5s. in the pound. We have noted the illegalities of Earl William. With regard to the reeves our Survey relates that though 25 hides were taken from the king's estate of Westbury-on-Severn, yet the Sheriff found the whole ferm from the remainder. So again we are told that the estate of Awre paid and pays half a night's ferm (about £50), that Sheriff Alwi put 7 hides out of the ferm, and yet the Sheriff pays the whole ferm. In each case there was rank injustice; a part of the estate was taken away, and yet the whole rent was required from that which remained. In the case of Awre this must have continued for at least twenty years, in the case of Westbury for some four years less. So also Edward of Salisbury, Sheriff of Wiltshire, held Woodchester in the Ferm of Wiltshire, unjustly as the County said because it did not belong to any ferm there; evidently Sheriff Edward was using the profit of the Gloucestershire estate of Woodchester to help make up his payment for Wilts.

The statement that the monks prospered more than the lay-people is fully borne out by our Survey. The 925 hides held by ecclesiastics in 1086 had increased in value from £664 9s. 5d. in King Edward's time to £731 2s. 6d., while the 1014 hides in the possession of laymen at that date had diminished in value from £1,286 0s. 8d. to £1,040 2s. 8d.

It will be well to notice shortly the chief church estates in the shire. None of the properties held by Archbishop Stigand in 1086 belonged to the see of Canterbury. With

regard to St. Oswald's, Gloucester, his tenure represents a chapter in the history of the house which seems to be but little known in Gloucestershire. It is contained in a small volume of *Ecclesiastical Documents*, published by the Camden Society in 1840, which includes "Historiola de primordiis Episcopatus Somersetensis." Bishop Giso of Wells relates (p. 15) that King Cnut gave to Dudoco, consecrated to the see of Wells on June 11th, 1033, before he became Bishop, to be his by hereditary right, the Monastery of St. Peter, Gloucester, and the estates of Congresbury and Banwell, which gifts were confirmed by royal writs, and that Dudoco gave these things to God and St. Andrew (of Wells) in the time of King Edward. But that on Dudoco's death Earl Harold stole away these lands, and that Archbishop Stigand by unjust solicitation obtained possession of the abbey at Gloucester. The story is certainly true with regard to Congresbury and Banwell, and it seems to be true with regard to the abbey at Gloucester, except that this was the Church of St. Oswald, not that of St. Peter. That this was so is clear from the statement of Giso a little further on in his narrative, where he says (p. 18) that the Conqueror "promised also that as soon as he was able he would add to the gift the Monastery of Oswald." Stigand then obtained possession of St. Oswald's on the death of Duduc in 1060, and held it till his deposition at Easter, 1070, when Archbishop Thomas of York obtained possession of it, and it continued to be subject to his successors until the Dissolution. Tidenham had been leased to Stigand by the Abbey of Bath between 1061 and 1065; it passed to the Crown on the rebellion of Earl Roger in 1075, and the abbey never recovered it. South Cerney had been leased to Stigand by the Abbey of Abingdon in 1048; on his fall Earl William granted it to Walter f. Roger, and it passed to his heirs, the family of de Bohun, Earls of Hereford and Lords High Constable.

There were some nibblings at the lands of St. Peter's Abbey which were held by Archbishop Thomas. Walter f. Pons

held 12 hides at Northleach, and at Standish Earl Hugh held 1 hide unjustly; as the Commissioners remark; and as we have seen Earl William gave 3 hides there to Roger de Pistres the Sheriff. The archbishop claimed these lands. The estate of the cathedral at Worcester was the only one in the shire which was seriously plundered in the Conqueror's time. It is very strange that this was so, for the Bishop had submitted to the king before his coronation, and he had helped to crush the rebellion of Earl Roger; moreover, he was on friendly terms with King William, and Florence of Worcester tells us the Normans loved him exceedingly; but however this may be, they plundered him exceedingly. In Worcestershire the chief plunderer was Urso d'Abitot the Sheriff, but he had no jurisdiction in Gloucestershire; his name only occurs once as a plunderer in our Survey, where he appears as having so wasted the tenants of Sodbury at Wiche (Droitwich) that they could no longer render their due of 25 sextaries of salt. Sodbury had belonged in earlier days to the Church of Worcester.[1] Out of 50 hides at Westbury-on-Trym Turstin f. Rolf held 5 hides at Aust-Cliff, Gilbert f. Turold 3½ hides in Compton, and Constantine 5 hides at Itchington. These held as tenants of the bishop; but Osbern Gifard held 5 hides, probably at Charlton, and rendered no service. Walter f. Roger held 8 hides in Bibury, and Durandus 3¼ hides in Barnsley; while out of the 30 hides at Withington, no fewer than 24½ had come into the hands of tenants with Norman names, and the property had diminished in value from £38 to £33. At Cleeve Durandus held 6 hides in Southam, Ralph 4 hides in Sapletone, and Turstin f. Rolf 6 hides in Gotherington; while Bernard and Raynald held 7 hides in Stoke Archer, but rendered no service to the Church; the value had diminished from £36 to £26. The lands held by the tenants were lost to the Church, though no doubt some service was rendered for them; but the 5 hides held by Osbern

[1] Kemble, *Codex Diplomaticus*, cccxxvii; Birch, *Cartularium Saxonicum*, 582.

Gifard at Westbury and the 7 hides at Stoke Archer were lost to the Church altogether. There is this excuse for the plunder, that the annual value of the Worcester lands in 1066 was only about 11s. a hide, while the average for the whole shire was £1 3s. 2d.; there was plenty of room for improvement.

There was no plunder of the estates in the possession of St. Peter's at Gloucester. Indeed Ermeline, widow of Walter de Laci, who died in 1085, had given to the abbey 5 hides at Duntsbourne Abbots for his soul. Under the care of Serlo, who became abbot in 1072, the value of these estates had more than doubled between the Conquest and the Survey, rising from £43 11s. 5d. to £91 12s. Neither was there any plunder of the estates of Winchcombe Abbey. We are told that it "defended itself," or paid geld for 60 hides in King Edward's time; in the Survey its possessions amounted to 74½ hides, of which 15 were quit of geld, leaving 59½ geld-paying hides, a sum within half a hide of the number before the Conquest. With regard to Evesham Abbey the case is not so clear. We are told that "in the ferding of Winchcome" the Church held 56 hides in King Edward's time; and that is the total shown in the Survey. But the following record of Bishop Odo's usurpations from the monastery is preserved in the Harleian Register, No. 3763, f. 58b: "In Gloucestresire, Quenton x hid. In Parva Slout v hid. Hugo de Laci habet. Swelle vii hid. Radulfus de Tonnei tenet. Robertus Dispensator tenet Childeswicwon ibi x hid. Willielmus Cunteboiz tenet Pebewrt ii hid."[1] These estates appear in Domesday thus:—

	T.R.E.	1086.
Quenton 10 h	Baldwin 12 h	Hugo de Grentemaisnil
Upper Slaughter 5 h	Offa & Leuin 3 h	R de Laci & his mother
Lower Swell 7 h	Ernesi 7 h	Ralph de Todeni
Child's Wickham 10 h	Baldwin 10 h	Robert Dispensator
Pebworth 2 h	Uluiet Uluuard 6¼	William Goizenboded

[1] Dugdale, *Monasticon*, ii. 3, 4.

The matter seems to be clear except with regard to the holding at Pebworth. It is said that Bishop Odo's usurpations took place immediately after the death of Abbot Æthelwig on February 16th, 1077, and as Odo was imprisoned in 1082, he cannot have held the lands for much more than five years; the Survey, giving only the owners in 1066 and 1086, takes no notice of his tenure. Hugh de Laci held Upper Slaughter from 1088 to 1121, so that the evidence seems to be nearly contemporary, that is to say, if we can trust Harleian MS. 3763, which Kemble describes as being "A Register of the Charters of St. Mary of Evesham: written perhaps in the fourteenth century." On the other hand, it is not easy to reconcile the statement that these 34 hides were stolen in the Conqueror's time with the direct statement of Domesday that Evesham Abbey held 56 hides in the "ferding" of Winchcombe in King Edward's days, and the fact that it appears as holding 56 hides in Gloucestershire in 1086. There certainly was a "ferding" or shire of Winchcombe, which is said to have been joined to Gloucestershire early in the eleventh century;[1] and as the five estates mentioned, together with the other manors belonging to Evesham Abbey, are all in the very north of Gloucestershire, ranging in distance from six to fourteen miles from Winchcombe, one would suppose that they must have lain in the "ferding" of that place; only in that case there would have been 90 and not 56 Evesham hides in the ferding of Winchcombe in the reign of King Edward.

It is shown in a paper on "Deerhurst, Pershore and Westminster,"[2] that of the estates mentioned in the great Pershore Charter of 972 about two-thirds passed on the death of Earl Odda in 1056 into the hands of King Edward, who by the Foundation Charter of Westminster Abbey bestowed them on that church, subject to the life interest of the Lady Edith, who died on December 19th, 1075; the other third remained with Pershore Abbey. In the same way about one-half of the estates in Deerhurst Hundred, no doubt

[1] *Transactions*, xxxii. 122. [2] *Transactions*, xxv. 230.

possessions of the ancient abbey there, passed on the death of Earl Odda to the king, and were by him bestowed, after the death of his wife, on Westminster. The other half of the property at Deerhurst, including the church, was granted by the Confessor to Baldwin before he became Abbot of St. Edmund's Bury about 1065; and it was afterwards granted by the Conqueror to the Abbey of St. Denys, where Baldwin had been a monk, on Easter Monday, 1069. Of the Westminster land Girard the Chamberlain held 3 hides in Bodington and 8 hides in Kemerton, which since he held them rendered no service in Deerhurst Hundred. He had in fact transferred them to Tewkesbury Hundred, and the lands passed from the Church. In the charter of 972, five hides at Longney and three hides at Didmarton are shown as belonging to Pershore Abbey. And the abbey possessed land at Longney in 1281 and at Didmarton in 1263, where also Pershore land was granted away after the Dissolution; but Domesday Survey shows no Pershore land either at Longney or Didmarton. It would seem that land in possession of the Gloucestershire Abbeys of St. Peter and Winchcombe escaped plunder, while churches outside the shire, such as the cathedral at Worcester, Evesham, Pershore, and Westminster suffered. There seems to have been some method in the matter; for just as Urso the Sheriff in Worcestershire was the chief thief there, so Roger de Pistres, Sheriff of Gloucestershire in the time of Earl William, and Durandus his brother and successor, were with Earl William himself foremost in the robbery of churches here. King William was no robber of churches; indeed, as we have seen, he ordered land at Dyrham of which Pershore Abbey had been deprived to be restored.

With regard to the connection of Stigand with South Cerney, it appears that when Spearhafoc, a monk of Bury St. Edmunds and a skilful worker in gold and silver, succeeded to the abbacy of Abingdon in 1048, Stigand induced him to grant a lease of South Cerney for a term of years, promising to give in return Eastun, a vill near Lewknor. But when

Stigand had obtained Cerney he would neither give up Eastun nor return Cerney; which he evidently held till his deposition in 1070.[1] Then it would appear that Earl William granted the estate to Walter, son of Roger de Pistres, who kept possession of it, and gave the church and tithe of South Cerney to St. Peter's, Gloucester, in the time of Abbot Peter, 1104–1113, the grant being confirmed by King Henry I. Yet in a privilege granted by Pope Eugenius III. on December 23rd, 1146, Dumbleton and Cerni are mentioned among the possessions of Abingdon Abbey in Gloucestershire.[2] The writ mentioned by Mr. A. S. Ellis (*Trans.*, iv. 163) as being addressed by the Conqueror to Robert d'Oily, Sheriff of Oxfordshire, and Roger de Pistres, Sheriff of Gloucestershire, in the time of Athelm, Abbot of Abingdon, 1071–1084, does not refer to Cerney; it confirms to the abbey the customary dues on lands held by the Church, the requisite proofs concerning the lands to be furnished by the Abbot.[3]

We have seen that the sweeping away of the old English landowners was very complete; except among the king's thanes, there is not a single lay tenant *in capite* who can be reckoned as an Englishman. Of course, twenty years had elapsed between the Battle of Hastings and the compilation of the Survey, and in the natural order of things more than half the estates in the shire would have changed hands in the interval; but this would not account for the change of nationality from English to Norman. We have first to discover as nearly as possible the number of these dispossessed landowners. A list given at the end of the paper contains the names of the lay owners in King Edward's time, ranged under the head of their Norman successors; and in all there are about 248 names. There should be a few more, because the same name is not repeated where it occurs more than once under

[1] *Chronicon Mon. de Abingdon*, i. 462.

[2] Dugdale, *Monasticon*, i. 522.

[3] *Chronicon Mon. de Abingdon*, ii. 1; Dugdale, *Monasticon*, i. 518.

the same Norman. But of course there were not so many owners as this. The name Alwi, Alwin or Alwine occurs more than twenty times, Brictric thirteen times, and Leuuin or Leuui eight times; under Roger de Laci appear "Dodo and another Dodo," and under Ansfrid of Cormeilles "Two Leuuins." On the other hand, if the number of distinct and separate names is counted, it amounts to about 142; but of course there would have been more lay owners than this, because in many cases the same name would have been borne by more than one man. We may say, then, that in King Edward's time there would have been more than 142 and fewer than 248 lay landowners in Gloucestershire holding directly under the king, and that probably the total number was nearer to the lower than to the higher figure. Setting aside the king's thanes, the Survey shows 52 lay tenants *in capite* and adding to them the Bishops of Lisieux, Exeter and Coutances, and Reinbald, who held property in their own right, we find 56 owners holding by lay tenure in Gloucestershire in 1086. We may therefore say with certainty that the lay owners in the days of King Edward outnumbered in the proportion of more than three to one their successors in 1086. Now this does not mean that all the estates in the earlier period were smaller than those at the later date. The estates of Brictric f. Algar included 44,131 statute acres, and those of Ernesi over 28,338 acres of Domesday record, implying of course a considerably larger statute acreage, in the time of King Edward. In 1086 the Bishop of Worcester held 49,500, Roger de Laci 41,100, and Earl Hugh 19,200 statute acres; so that Brictric and Ernesi were larger landowners in the shire than the two most wealthy Normans. In 1872 Lord Fitzhardinge, the largest landowner in the shire, held 18,264 acres. In a few cases we can trace the date when their property must have been deemed to pass from the old owners. We may be sure that Beckford and an estate at Barrington would have been held to be forfeited when Rotlesc and Tovi Widenesci laid down their lives in defence

of King Harold at Hastings; and so would Gytha's estate at Woodchester when she joined in resistance to King William at Exeter. Merlesweyen, Lord of Tarlton, Sheriff of Lincolnshire, was left by King Harold in command of the north after the Battle of Stamford Bridge; but a Charter of Confirmation of the property of Peterborough Abbey granted by the Conqueror, and signed among others by Merlesweyen, Sheriff, and Earl William, is extant,[1] which might seem to date soon after the Conqueror's coronation, when the convent made its peace for having presented the new abbot, Brand, to the Etheling Edgar for confirmation. If this was so, Merlesweyn must have submitted to the Conqueror in his early days; but he certainly joined in the northern rebellion against the king in the summer of 1068. So again Siward Bar, lord of Lechlade, submitted to the Conqueror at Barking after his coronation, but he joined the Danish fleet in September, 1069, and taking part in the revolt of Hereward the Wake at Ely in the spring of 1071, he was imprisoned till King William on his death-bed released him. Still it is not likely that definite acts of rebellion were charged against each single landowner. The claims of the Normans were insistent; so the Englishmen were deprived of their property, and in the case of such men as Merlesweyn and Siward Bar it is not easy to say whether their rebellion was the cause or the consequence of their deprivation.

Of the king's thanes mentioned at the end of our record, it is very likely that Brictric was the famous Brictric f. Algar. He now held 4 hides in Leckhampton, two of which had belonged to Ordric, but had been given to him when the king was leaving for Normandy. Also Brictric is mentioned as holding 1 hide in Widecestre, probably part of Horsley, and as having mortgaged 5 hides at Wheatenhurst to Harding. We note not only the mortgage, but also the fact that there was no team on the demesne land at Widecestre, as a mark of

[1] J. H. Round, *Commune of London*, p. 29.

poverty. Dons retained 2 hides in Bitton, most of his property having passed to Osbern Gifard; in Somerset also part of his estates went to Osbern, and part he retained. It is likely that both he and Brictric were present at the coronation of Queen Matilda.

As it would seem that our shire passed peacefully into the hands of the Conqueror, we cannot trace any grants of land as having been given as a reward for some particular service. It is likely that the possessions of the Bishop of Coutances immediately to the south of Bristol came to him after the defeat of the sons of Harold in 1068.

In some cases at any rate it would seem that the estates of one particular Englishman were granted to a single Norman, as the property of Brictric f. Algar passed to Queen Matilda, or that of Duns to Osbern Gifard, or that of Alestan of Boscombe near Amesbury to Ralph de Limesi, or on a smaller scale as William Leuric held five estates which had belonged to Osgot and no others. But generally the property of the Normans was made up of broken portions. We note also that when the property of an Englishman was granted as a whole, the grant was not limited by county boundaries. Queen Matilda received property of Brictric, and William de Ow through Ralph de Limesi property of Alestan also in Dorset. By whatever method the division of the estates of the English was carried out, it was not limited by provincial lines; we seem to see above it all the direct control of the high hand of the Conqueror.

We have seen that one result of the Norman settlement of the shire was that land held by lay owners diminished very considerably in value; and to understand the reason of this we must consider the conditions under which the land was cultivated. Each estate was commonly divided into two portions, one, a smaller portion, the demesne or land connected more closely with the court-house, cultivated by serfs under the direction of the lord, the other, a larger portion, cultivated by the tenants. Each tenant had a house and

some thirty acres of land for his own use; but he sowed and reaped, and mowed and harrowed, and rendered other agricultural services on the part of the estate outside the demesne. Yet all the things which the tenant had or used—house and land, oxen, cows or sheep, carts, ploughs and other utensils—were supplied by the lord, and belonged to him; and on the death of the tenant they passed back to the lord. As a return for the use of these things, the tenant rendered services according to the custom of the estate, partly in money, but chiefly in labour, so many days a week, with extra services at special seasons, such as harvest or lambing-time. But the right of the tenant to his place on the estate was as clearly assured as was that of the lord, who could not turn him off the land so long as the services were duly rendered; and the Manor Court would see that right was done by and to both lord and tenant.

Take, for example, Earl Hugh's estate of Chipping Campden. The Domesday entry runs thus: "The Earl himself holds Campden; Earl Harold held it. Here are 15 hides paying geld. In demesne are 6 teams, and 50 villeins and 8 bordars with 21 teams. Here are 12 serfs and 2 mills worth 6s. 2d. Here are 3 female serfs. It was worth £30 now £20." We note first that to the compilers of the Survey Harold was simply Earl, not king. On the demesne were 6 teams under the charge of 12 serfs, and there were three female serfs attached to the household. On the other part of the estate were 58 tenants, 50 villeins and 8 bordars, with 21 teams. As each team would cultivate about 120 acres of land, there were on the lord's portion about 720 acres and on the tenant's portion about 2,520 acres of arable land, in all some 3,240 acres; no other kind of land is mentioned. We note that the value of the estate was only two-thirds of what it had been in Harold's time; and if we add one-half to the number of cultivated acres, we arrive at a total of 4,860 acres, a near approach to the 4,660 acres now reckoned to lie in Campden. We gather, then, that in Harold's time the

estate was cultivated up to its full capacity, but that under Earl Hugh the value had very seriously diminished owing to imperfect cultivation; as indeed we are told that he habitually wasted his lands, and gave more heed to falconers and huntsmen than to those who tilled the ground or sought the way to heaven.[1]

It is evident that for the efficient working of such a system as that in use at the date of Domesday two conditions were needful: the lord must be financially able to supply and maintain in full measure the stock and plant needed, and he must be either resident, or have capable and trustworthy officers on the spot. Harold evidently could and did so care for Campden. In 1066 Gloucestershire had lain in his earldom at least since 1056, and it is more than likely that he visited the place from time to time. Earl Hugh at Chester can have known little about the place personally, and he neglected his estates. Another cause which would have acted prejudicially would have been change of ownership; for though a change of owner would in no way alter the conditions of service on the estate, it would of necessity mean very considerable disturbance in those conditions. As we have seen, the great estate of William Goizenboded, extending over some 11,000 acres, had changed hands three times between the Conquest and the Survey, and had fallen in value from £72 6s. to £35 15s.

It is likely that an instance of poor cultivation on account of insufficient means to provide proper stock and plant might be taken from the estate of the Bishop of Worcester, the largest in the shire, including about 49,500 acres. The value had fallen from £125 in 1066 to £121 4s. 6d. in 1086. In either case the value is miserably low, less than 11s. a hide, while the average value of the hide in the shire was £1 3s. 2d. Generally, however, the Church estates had increased in value; that the property of Winchcombe Abbey had depreciated was due most likely to the imprisonment of its

[1] *Norman Conquest*, iv. 491.

abbot, Godric; and Pershore Abbey had been plundered. On the other hand, the value of property in lay hands had generally diminished, for most of the Norman owners were non-resident. But we note that the value of the property of Roger de Ivry had increased from £58 to £73 10s., that of Ernulf de Hesding from £71 to £111 6s. 8d., and that of Roger de Laci from £111 14s. to £118 14s.; and we see that the owners of these estates had kept a close connection with the shire. Roger de Ivry had served as Sheriff of Gloucestershire; and though his largest estate lay in Oxfordshire, that was not very far away; and his wife Adelisa gave Brookthorpe to the Abbey of St. Peter's, Gloucester. Walter de Laci, father of Roger, took part in the settlement of Gwent under Earl William about 1070; he helped to crush the rebellion of Earl Roger in 1074; he is heard of as being at Berkeley in 1080; and dying in 1085, he was buried at St. Peter's, Gloucester. Mr. A. S. Ellis thought that the wife of Ernulf de Hesding was Emmeline, daughter of Walter de Laci. At any rate both husband and wife were benefactors of St. Peter's, Gloucester; he gave to the abbey the churches of Kempsford and Hatherop with other property, and she gave the church of Chipping Norton. It is interesting to note this local connection in the case of owners whose property had increased in value; for in most cases the names of lay owners show a dismal record of falling values. And no doubt also in most cases the values had diminished because the owners were non-resident.

It would seem that the dispossessed owners must have numbered nearly two hundred. Very few of them are found among the king's thanes, and the question arises what became of them. Possibly some found places under the Normans as stewards of their estates, which in most places were widely scattered over the shire, and would need management. There were some 223 estates in lay tenure in 1087 under 56 owners, nearly all non-resident; and there would have been room for many of the old owners as stewards.

But so complete a sweeping away of an influential class of the population must have caused much distress to themselves and much loss to the community. The tenants on the estates and the serfs would not have been affected directly by the Norman settlement; but they would have shared in the general misery which that settlement involved.

There is no doubt that the period between the Conquest and the Survey was a time of utter misery in our shire, though it fared better than many parts of the country. Gloucester itself was spared the spoiling which fell upon Oxford and York, on Derby and Chester; there was no harrying of the lesser towns such as fell upon the Dorset boroughs of Wareham and Dorchester, Shaftesbury and Bridport; the shire itself was not ravaged as were the regions of York and Stafford,[1] Cheshire and Shropshire. And we close with the recollection that it was to this less wretched part of England that in the early days of 1070 there came from the devastated fields of those northern shires a great multitude of old and young and women with their children, fleeing from the misery of famine to seek aid in their distress from Æthelwig, Abbot of Evesham, all of whom that merciful man nourished to the utmost of his power. Very many of them, already wasted by the sharpness of hunger, passed away even with the food in their hands. The crowd of sufferers was lying throughout the whole town, as well in the streets as in the houses, aye even in the cemetery itself they lay, so that day by day five or six and sometimes more who perished in their misery were buried by the Prior. They were not only the poor, but very many of the noble families of the land who fled to him, stripped by command of King William of the heritage of their fathers, and of all their wealth; and to them that most noble Abbot became a refuge in their distress and a helper in their deepest need.[2] It was well for them that the Abbey of Evesham had prospered in those evil days.

[1] For Staffordshire see the Rev. R. W. Eyton's *Domesday* of that shire.

[2] *Norman Conquest*, iv. 313.

Such was the Norman settlement at its worst; it was well for Gloucestershire that there it showed its least evil side.

GWENT.

At the end of the entry in the Survey relating to the city of Gloucester is an account of a district lying between Chepstow and Caerleon, bounded on the north by Went Wood and on the south by Caldicot Level. No places in the Marsh are named; and it is likely that it had not yet been settled, because few of the names there are Welsh. The most northern name mentioned is Lamecare, probably Llanvair Discoed, three miles to the north of Llanfihangel near Roggiett, which probably represents the church mentioned as connected with St. Michael. It is worth noting that the Deanery of Netherwent, or Chepstow, includes exactly the district described in the Survey between the Wye, Went Wood and the sea, including also Caerleon and three other parishes, Llanthewyvach, Llanvrechva and Llanhennoch to the west of the Usk, which represent no doubt the king's estate of Caerleon and Turstin f. Rolf's 6 carucates beyond the Usk. It seemed better to treat of this district apart from Gloucestershire, because it was no part of the shire; indeed at that time it was not included in England at all.

The chief interest of the account lies in the fact that it was a district which was as yet only partially settled and portioned out by the Normans. Earl William had built a castle at Estrighoiel or Chepstow, and he had founded a settlement at Caerleon beyond the Usk; while the district between the two places was divided into two portions, the king's land towards the west, and the portion which the Normans had divided out and settled nearer to Chepstow. On the king's land the old Welsh arrangement of land settlement still remained; and there is no mention of carucates or hides, except in connection with the two Churches of St. Michael and St. David, now Llanfihangel and Llandavad, where, however, the church has perished. In these places the carucates may very likely represent glebe land, possibly the

gift of the Conqueror; for this land paid no service except to the saints. There was also in the king's alms a township (villa), which rendered to the Church at the Feast of St. Martin for the good of the king's soul two pigs, one hundred loaves, and an indefinite quantity of beer. The church so endowed was no doubt that of Llanmartin. We note the dedication, and remark that though St. Martin as a Gallic saint might long before have found a home in Wales, yet as the great abbey whose high altar stood on the spot where the body of King Harold had lain after the Battle of Hastings was dedicated in the name of St. Martin of the Place of Battle, it is quite possible that we have here in this conquered land even beyond England a lesser endowment to commemorate that crowning victory.

Under the Welsh land-system twelve homesteads were grouped together to pay a food-rent. The Survey mentions four of these groups: under Provost Waswic 13, under Elmui 14, under Bleius 13, and under Idhel 14 vills. It mentions also that 4 of these vills had been wasted by King Caradoc, no doubt when he plundered Earl Harold's hunting seat at Portskewet in August, 1065. These four groups paid a rent of 47 sextaries of honey, 40 pigs, 41 cows, and 28s. for the hawks; in all they were worth £9 10s. 4d. There were also on the king's land which is called "Wales" 3 hardwicks or hamlets, Llanvair Discoed, Portskewet and Dinham, where there were 8 teams in demesne and 26 tenants, 11 half-villeins and 15 bordars, with 6 teams, ploughing some 1,680 acres of land. Six teams was a very small number for 26 tenants, probably the 11 half-villeins rendered each only half a villein's service. Roger de Ivry, when Sheriff, had wanted £5 for these three hardwicks. Walter Balistarius pays for a piece of waste a sextary of honey and a pig; Berdic the king's watchman[1] has 3 vills with 5 teams, and pays nothing; Morinus

[1] Joculator. The word might also mean actor or musician. The *Abingdon Chronicle* relates that in 1053 the Welshmen slew many of the English people, of the wardmen, near Westbury (on Severn). No doubt there were warders on both sides of the border.

has 1, Chenesis son of Waswic 1, Sessibert 1, Abraham the priest 2 vills; they have 6 teams and pay nothing. Earl William let out these lands to King Griffin by leave of King William. There was no King Griffin in the time of Earl William; but "Griffin filius Mariadoc" appears in the Herefordshire Survey (f. 187b), and it is also said: "Rex W. condonavit geldum Regi Mariadoc et postea filio ejus." Mr. Freeman thought that this Mariadoc was Meredydd, son of Bleddyn, King of North Wales, who had a son Griffith; he also thought that Meredydd was living in 1086, but that having given some offence his lands were held by his son.[1] We are told that on this king's land 66 pigs go out to pannage, and are worth 44s. In all, the king's lands were worth £40 12s. 8d., but Durandus the Sheriff had let them to William de Ow for £55. In the time of Earl William the castle at Estrighoiel paid 40s. for the toll of ships going to the Forest; in Earl Roger's time the vill paid £16 and Ralph de Limesi had half; in 1086 the king received £12. From rents at Caerleon, and a team there, and 7 fisheries in the Wye and Usk there issued £7 10s.

The places named in the settled district are Strigoielg, Caerwent and Caldicot. Here the land was portioned out into carucates, and the number of teams on each carucate is recorded, exactly as in Gloucestershire we find mention of hides and teams. The term "carucate" is used in the Lincolnshire Survey instead of "hide," and in the Survey of the south-western shires for a privileged hide which paid no geld. It is likely that the term "carucate" is of Norman origin, and was unknown in England.[2] The apportionment of Gwent into carucates was evidently the work of Earl William; for we are told that he gave to Ralph de Limesi 50 carucates of land "sic fit in Normannia," which means according to the Rev. R. W. Eyton, "according to that

[1] *Norman Conquest*, iv. 675 n.

[2] For the relation between Carucata and Caruca see Rev. R. W. Eyton, *Dorset Domesday*, pp. 16–24.

estimate of the carucate which obtains in Normandy." The grantees of the land are mostly those whom we have found in Gloucestershire; they held 59 carucates with 79 teams, worth £52. The land value, 17s. 6d. a carucate, is distinctly good for a newly-settled district; and Earl William's settlement in Gwent seems to have prospered well.

DOMESDAY OWNERS WITH THEIR PREDECESSORS IN KING EDWARD'S TIME.

1. **The King.** Balduin, Edmar, Aldred Abt, Aluui Sheriff, Edmer, Wislet, Aluric, Uluuard, Earl Harold, Queen Edith, Balduin f. Herluin, Elmar, Brictric f. Algar, Bp. of Hereford, Monks of Pershore, Bath Abbey, Wlward, Chenvichelle, Rotlesc Huscarle, Turbert, Edric Lang, Gueda mother of Earl Harold, Brictric, Ednod, Tovi Widenesci Huscarle, Eilmer.
2. **Thomas, Archbishop of York.** Stigand Archbishop, St. Peter of Gloucester, Gundulf, Pin, St. Oswald of Gloucester, Ulchetel.
5. **Bishop of Exeter.** Aluui.
6. **Bishop of Coutances.** Ebbi, Algar, Eldred, Aluuard, Aldred, Cuulf, Ulnod.
11. **St. Mary of Winchcombe.** Bolle.
16. **St. Mary of Cormeilles.** King Edward.
17. **St. Mary of Lire.** Edmer.
19. **St. Peter of Westminster.** Brictric, Godric, Edwi, Wlwi, Leuuin, Edric, Ava, Elfrid, Eluuin.
20. **St. Mary of Lambeth.** Countess Goda.
22. **St. Evroult of Ouche.** Wlward.
23. **The Holy Trinity of Caen.** Countess Goda.
24. **St. Martin of Troarn.** Countess Goda.
26. **Reinbald.** Godric, Elaf.
27. **Earl Roger.** Leuenoc.

28. **Earl Hugh.** Leuenod, Earl Harold, Elnod, Leuuin.
29. **Earl of Moretain.** Tovi.
30. **Bishop of Lisieux.** Leuuin, Aluuard.
31. **William de Ow.** Tovi, Bondi, Alestan, Brictric f. Algar, Stigand Archbishop, Leuric, Wlui, Scireuold, Ernesi.
32. **William f. Baderon.** Aluui, Chetel, Aluric, Osuuid, Bricsi, Ulfelm, Aluuin, Forne, Ulfeg, Wihanoc, Alfer, Eduui.
33. **William the Chamberlain.** Wenric.
34. **William Goizenboded.** Uluiet, Uluuard, Brismar, Aluuin, Aluuin the Sheriff, Sauuin.
35. **William f. Wido.** Aluric, St. Mary of Pershore.
36. **William Froisselew.** Godric, Brictric.
37. **William f. Norman.** Ulfeg, Morganau, Godric, Elric, Ernui, Ulgar, Siward, Winstan.
38. **William Leuric.** Osgot.
39. **Roger de Laci.** Edric, Leuric, Turchil, Ulfel, Haldene, Aluuard, Aschil, Uluui, Brictric, Keneuuard, Ernesi, Eluuin, Stigand Archbishop, Dodo, Dodo, Aluuold, Alduuin, Duning, Wluric, Godric, Edmund, Leuuin, Offa, Eduui.
40. **Roger of Belmont.** Saxi.
41. **Roger of Ivery.** Eldred Archbishop, Siward, Aluricus, Alline, Elnoc.
42. **Roger of Berkeley.** Dena, Aluuin, Anne.
43. **Ralph of Berkeley.** Godric, Wisnod.
44. **Ralph Pagenel.** Merlesuen.
45. **Ralph of Todeni.** Brismar, Earl Harold, Elric, Aluuin, Uluric, Ernesi.
46. **Robert of Todeni.** Ulf.
47. **Robert Dispensator.** Balduin.
48. **Robert de Oilgi.** Siward, Turstan.
49. **Richard Legatus.** Alfric.
50. **Osbern Gifard.** Dunne, Duns, Eilricus.
51. **Goisfrid Orleteile.** Bolli.

52. **Gilbert f. Turold.** Keneuuard, Aluuard, Eilaf and his brother, Aluric, Aluuin, Alfer.
53. **Durandus of Gloucester.** Aluuold, Wluuard, Grim, Leuuin, Leuuin and Leuui, Turstan, Eduui, Godric, Edric, Ava, Leuenoc.
54. **Drogo f. Pons.** Ernesi, Cola.
55. **Walter f. Pons.** Earl Tosti.
56. **Walter f. Roger.** Turstan and Eduui, Archbishop Stigand.
57. **Walter the Deacon.** Godwin.
58. **Walter Balistarius.** Tovi, Palli, Alestan of Boscombe.
59. **Henry of Ferrieres.** Siward Bar.
60. **Ernulf de Hesding.** Osgod, Uluuard uuit, Elric and Godric, Edric.
61. **Herald f. Earl Ralph.** Earl Ralph.
62. **Hugh of Grentemaisnil.** Balduin, Leuric.
63. **Hugh Asinus.** Turchil, Wluard.
64. **Milo Crispin.** Wigot, Haminc.
65. **Urso of Abitot.** Eluuin.
66. **Hascoit Musard.** Chenvicelle, Uluuin, Ernesi.
67. **Turstin f. Rolf.** Tovi, Uluui, Brictric, Aluric, Aluuold, Ava.
68. **Ansfrid of Cormeilles.** Uluuard, Leuric, Brismer, Godric, Bil, Edric, Elmer, Two Leuuins, Eluuin, Ulfel, Eluuard, Wiga.
69. **Hunfrid the Chamberlain.** Elstan, Blacheman, Edric, Alric, Aluui, Aluuin, Eluuard, Aluuard, Eluuihiles, Aluuine.
70. **Hunfrid of Medehal.** Pagen, Aluui.
71. **Hunfrid the Cook.** Ordric.
72. **Sigar of Cioches.** Countess Goda.
73. **Mathew of Mauretania.** Strang the Dane, John, Aluuin.
74. **Gozelin Brito.** Elfelt.
75. **Roger f. Ralph.** Seuuin propositus of Bristol.
76. **Wife of Geri.** Guluere, Tovi, Turbern.

77. **Balduin.** Aluuin.

78. **King's Thanes.**

Elsi of Ferendone. Uluric, Tovi, Leeuin.

Chetel. Himself.

Osward. Himself.

Edric f. Ketel. His father.

Eddiet. Herself.

Cvenild a Nun. Eilmer.

Brictric. Himself and Ordric.

Alwold. Himself.

Elward f. Reinbald. Balchi.

Elsi. Himself.

Dons. Himself.

Brictric. Himself.

Edric f. Chetel. His father.

Madoch. Himself.

WITHINGTON PECULIAR.

By F. S. HOCKADAY, F.R.Hist.S.

The precise nature and scope of exemption from superior ecclesiastical authority which was originally enjoyed, or claimed, in each peculiar and exempt jurisdiction in the county of Gloucester is not easily determined. The sources are remote and records scanty; but in every case the peculiar condition evidently arose from episcopal or monastic ownership.

The privilege was recognised in early ecclesiastical constitutions and statutes of the realm. Archbishop Peckham, in 1281, whilst *ordering* that on the death of a bishop every comprovincial should say a mass in chapel and synod, likewise every priest in his diocese, only *desired* exempts to do the same; and statute 25 Henry VIII., c. 19, provides that "all manner of provocations and appeals hereafter to be had, made or taken from the jurisdiction of any abbots, priors or other heads and governors of monasteries, abbeys, priories, and other houses and places exempt, in such cases as they were wont, or might, afore the making of this act, by reason of grants or liberties of such places exempt, to have or make immediately any appeal or provocation to the bishop of Rome . . . shall and may take and make their appeals and provocations immediately to the king's majesty of this realm, into the court of chancery," etc. Various enactments subsequently regulated and limited exempt jurisdictions; *e.g.* statute 1 and 2 Vic. dealing with pluralities and residence of clergy provided that "every archbishop and bishop, within the limits of whose province or diocese respectively, any benefice, exempt or peculiar, shall be locally situate shall . . . have,

exercise and use all the powers and authorities necessary for the due execution by them respectively of the provisions and purposes of this act . . . as such archbishop and bishop respectively would have used and exercised if the same were not exempt or peculiar, but were subject in all respects to the jurisdiction of such archbishop or bishop," etc.

In 1498, during the vacancy of the see of Worcester, the archbishop of Canterbury visited "the clergy and people" of the archdeaconry of Gloucester; and the schedule annexed to the citation addressed to the archdeacon of Gloucester, or his official, specifies certain parishes which were to be cited separately, viz. :—

Oct. 31. Dursherst [Deerhurst in Winchcombe deanery] in Dursherst church.

Nov. 7. Gloucester deanery in St. Michael church.

Nov. 9. Dursley deanery in Dursley church.

Nov. 14. Bristol deanery in All Saints church, Bristol.

Nov. 17. Hospital of S. Bartholomew, Bristol.

Nov. 19. Hawkisbury deanery in Sobbury church.

Nov. 20. Stonehouse deanery in Tetbury church.

Nov. 22. Cirencester deanery in Cirencester church.

Nov. 26. Faireford deanery and Faireford parish in Faireford church.

Nov. 27. Stowe deanery in Stowe church.

Nov. 28. Winchcombe deanery in Winchcombe church.

Dec. 1. Dudbroke parish [Campden deanery] and Beckford parish [Campden deanery] in the same church.

Dec. 5. Wyckwan parish [Child's Wickham in Campden deanery].

Dec. 10. Langborough parish [in Stow deanery].

Dec. 11. Campden deanery and Campden parish.

A list of procurations due from the archdeaconry shows all the above-named parishes distinct from their respective deaneries, as well as abbeys, priories and the collegiate church of Westbury.

It seems probable that the rights of these separately cited

parishes extended only to the mode or place of their visitation, and that there was no question about the appearance of Bibury (in Cirencester deanery), or Bishop's Cleeve and Withington (both in Winchcombe deanery) in the company of other parishes of their respective deaneries, although at a later period, at any rate, Bibury claimed to be visited at home. On this occasion Bibury appeared at Cirencester with its neighbours. Unfortunately the details of the actual visitation end with Stow deanery on November 27th, and the appearance of Bishop's Cleeve and Withington cannot be verified.

In 1563 certain articles of inquiry addressed by the privy council to Bishop Cheyney included the following, viz. :—

"Thirdlye what exempt or peculiar places are within the circute of your Diocese where you have not full Jurisdiction as Ordenarye and what the names ther be and who hathe thordenarye jurisdiction therof at this present."

"Sixtely and lasteley whersoever any exempt places be within the Circute of your Diocesse wherin you have no suche Jurisdiction as you can presentlie make answer sufficient to the former articles her Majestie wold that you shuld in writinge copie out so much of the substance of these five former articles as shall seme convenient for the purpose and with spede send to suche persones as have such Jurisdiction of these exempt places or to theire deputes residing next unto you willing and commaunding them in her majesties name forthwith to send Distinct answer therunto either to be sent to your selffe or by you to be sent to us."

In his return the bishop replies: "Thanswer to third Article ys That by the erection of the seide Bisshop Ricke of Glowcetur all Episcopall and ecclesiasticall Jurisdiction within thafforeseid Citie and Countie of Gloucetur was fullye and entirelie given and graunted unto John Wakeman then bisshop of Gloucetur and to his Successors for ever (as well in places exempte as not exempte) and so the same have bene hitherto used and exercised by the Late Bisshopps and Bisshop of Gloucetur and theire officers from tyme to tyme

that have bene and as nowe be yet nevertheles there are certen persones whiche have and done aleidge that they and theire precessors (Before the tyme of the saide erection which was by force of an estatute made in Anno 31mo Henrici octavi wherin full power and aucthorite was geven, etc.) have used to exercise spirituall Jurisdiction within theire severall parishes for the probacion of testaments as also for the correction of adulterie and fornication at al time and tymes when as the[re] were no Episcopall or other ordinarie visitacions had and keptte by thafforsaide bisshops of Gloucetur or by anye other havinge the like or highe aucthorite so to do.

" Hereafter enshewithe the names and surnames of . . . persons vicars and others that have chalenged to exercise [pecu]liar and ecclesiasticall Jurisdiction as before is mencioned in their parishes.

" Richard Rieve clercke Bachiler of Divinitie and persone of Bisshoppes Cleve Dothe chalenge to have and exercise ecclesiasticall Jurisdiction within his saide parishe of Bisshopes Cleve as before is mentioned.

" Jhon Laurence clercke Bachelor of Lawe and persone of Withington doth also chalenge to exercise the lyke ecclesiasticall Jurisdiction within his saide parishe of Withington.

" Jhon Ynce clercke and Vicar of Childeswicwan Dothe also chalenge to have and exercise the lyke ecclesiasticall Jurisdiction within the parishe of Bybury.

" Edmunde Kingston esquier and proprietarie of Flaxley Dothe chalenge to have and exercise the lyke ecclesiasticall jurisdiction within the parishe of Flaxley."

It would seem that in the answer concerning Childs Wickham and Bibury the two jurisdictions have been confounded. They were distinct, and Richard Bagge was vicar of Bibury.

This present article is intended to throw some light on the peculiar and exempt jurisdiction of Withington.

In the eighth century extensive lands in the parish belonged to a nunnery there. These were subsequently annexed to other lands there, belonging to the see of Worcester, and to this ownership the jurisdiction is doubtless due. The patronage of the church formerly belonged to the bishops of Worcester, who had a residence there. The peculiar comprised the parishes of Withington and Dowdeswell. The latter was generally called a chapelry of Withington, but the benefice was a rectory, in different patronage.

The will of Richard of Forsthulle, rector of the church of Wythingdon, dated at Wydindon on the feast of S. Mary Magdalene, 1287, contains bequests to Peter, chaplain of Wydindon, 2s., to John, chaplain of Wydindon, 2s., to W., chaplain of the said John, his cope with a furred hood, and to John, rector of the church of Dowdeswell, one ivory box.

On October 30th, 1290, the church of Wythindon was constituted prebendal to the collegiate church of Westbury-on-Trym by the bishop of Worcester; and the next day he ordinated the vicarage of Wythindon, assigning thereto certain portions and the profits from the three chapels of Little Collesburn, Aldeswell, and Doudeswell.

In 1413 Pope John commissioned the abbot of Hailes to license the parishioners of Dowdiswell to erect into a cemetery, and have consecrated by a catholic bishop, a certain place deputed from of old for a cemetery contiguous to their church, and cause to be buried therein bodies alike of parishioners of Dowdiswell as of strangers, without prejudice to, and saving the right of, the mother church of Wythyndon. This was in answer to a petition of the parishioners of the parish church of Dowdiswell, who said that, although from time immemorial they have in the said church received and do receive from its rector the sacraments and sacramentals, and therein their "last farewell" when buried elsewhere, nevertheless, because the said church is by ancient observance deemed to be subject as daughter church to the parish church

of Wythyndon in the same diocese, the said parishioners have been and are accustomed to carry the bodies of those who die in the said parish to the said mother church for burial in its cemetery, paying the mortuaries to its rector, and the said church of Dowdiswell being a mile and a half distant from the said mother church, the said custom causes them no small expense, they living commonly by cultivating the fields.

No further reference to Withington as a peculiar has, so far, been traced in Gloucester diocesan registry; but by the courteous permission of the Rev. W. S. Fallon, M.A., the present rector of the church of Withington, the writer has enjoyed the privilege of examining the records in the parish safe, and amongst other things found two volumes of acts of the peculiar court covering the period A.D. 1678–1752; and from these it is possible to re-constitute the conditions obtaining during that period.

Jurisdiction was exercised by the rector in the same manner and with the same limitations as the archdeacon of Gloucester in his archdeaconry; and his court was an arch deacon's in miniature, with an official principal, registrar, and apparitor. He visited his two parishes in the same years as the archdeacon visited the deaneries, both being inhibited during episcopal and archiepiscopal visitations of the diocese, at which times the clergy, churchwardens and sidesmen of Withington and Dowdeswell appeared with other parishes of Winchcombe deanery, paid their fees, and made their presentments.

The jurisdiction of the court was confined to disciplinary matters arising out of presentments, and in the language of the citations used in such cases, concerned the health of the soul and the correction and reformation of manners. Causes of instance, *i.e.* suits between parties, were tried in the bishop's consistory court.

The first volume, 1678–1732, was mainly in Latin, in accordance with the practice of all courts; but on the coming into force of statute 4 Geo. II., c. 26, providing that from

March 25th, 1733, all proceedings and records of courts should be in English, a new book was started and used until 1752.

The earliest entries give a fair idea of the nature of the business of the court :—

Friday, 1 November, A.D. 1678.

On which day the worshipful John Gilman, rector of the rectory and peculiar jurisdiction of Wythington, diocese of Gloucester, constituted the worshipful Richard Parsons, LL.B., official principal of the said peculiar jurisdiction and court, in the presence of me David Tanner, notary public, registrar.

Acts had, done, and expedited in the parish church of Wythington on Thursday (viz.) the seventh day of the month of November, A.D. 1678, between the 9th and 12th hours before noon of the same day, Before the worshipful Richard Parsons, LL.B., official principal lawfully authorised and constituted of the worshipful John Gilman, rector of the rectory and peculiar jurisdiction of Wythington, diocese of Gloucester, in the presence of me David Tanner, N.P., registrar.

WYTHINGTON.

Mr. John Gilman aforesaid, rector there.

John Looker, gent. } Assistants [Sidemen],
Symon Longford } sworn

Samuel Arkel } Churchwardens appeared and were
George Whiteing } sworn and his lordship (*dominus*) the official aforesaid admonished them to prepare a schedule or terrier of the glebe by the 25 March next, and other ecclesiastical rights. And he monished Longford, assistant aforesaid, to provide a table of consanguinity and affinity within 14 days.

[Marginal note.] Received for fees 4s. 6d. and for pentecostals 1s. 4d.

DOWDSWELL.

Mr. Joseph Stone, rector there. Richard George, apparitor, proved that he cited him personally. Excused.

Lawrence Wright } Assistants. Sworn. *Dominus*
William Drake } reserved the assistants for a bill of detections in 14 days, or till the 1 December.

Thomas Bishopp } Churchwardens.
James Ingram }

[Marginal note.] Received for fees 4s. 6d. and for pentecostals 1s. 4d.

WYTHINGTON.

Thomas Faukes "for being Clandestinely Married."

He appeared "and alleged he was Married by Mr. Wilkes, Clerke, Rector of Colsborne, the 27th day of March 1678, in the Parsonage House, and that there was present his Brother one William Faukes only." Then his lordship (*dominus*) admonished him to perform or undergo penance in the parish church of Wythington on the next Sunday, but on the request of Mr. Gilman, his lordship regarding him charitably, remitted his excommunication. [Marginal note] He performed the penance in the parish church according to the decree of the judge.

Henry Gardner and Lucy his pretended wife. To specify as to marriage.

Cited personally, Nov. 6. "Lucie appeared and confessed that one Randolph White Married them and that there was present one Jeremiah Jufferies." Henry Gardner three times called and not appearing, his lordship decreed him excommunicated, but afterwards he appeared and his lordship admonished them penance, to acknowledge the crime in the parish church on the next Sunday.

William Gardner and Dorothy Blicke his pretended wife.

They appeared "and alleaged they were Married by Mr. Wilkes of Colsborne about 8 weekes past." Then his lordship

admonished them to acknowledge matrimony in the church on the next Sunday.

[Undated addition.] They performed penance according to the monition of the lord judge in the aforesaid parish church of Wythington.

[Marginal note.] "Mr. Wilke had only 1s. 6d. for marring them."

As to the officers of the peculiar above-named, Parsons was the chancellor of the diocese, Tanner was a proctor in the bishop's consistory court, and George was the apparitor for Winchcombe deanery.

There are no acts recorded for 1679, in which year the bishop visited the diocese.

A few more extracts from this act book will give a fuller idea of the scope of the court :—

A.D. 1680. WITHINGTON.—Henry Loggin was presented for being a reputed Annabaptist and absenting himself from the public assemblies and prayers. Henry Gardner for marrying his brother's son's wife. John Tustin for a common fame and vehement suspicion of incontinency with one Alice Lawrence or endeavouring to ravish her being but 12 years of age. Josiah Mason for not paying the clerk his wages being 2s. for two years past.

DOWDESWELL.—William, Anne, and John Okey excommunicate persons.

1682. DOWDESWELL.—George Whiteing and Maurice Mealing, churchwardens, ordered to provide 3 locks and keys to their church chest and to make new rails before their communion table or to rail it in by Bartholomew day next.

1683. WITHINGTON.—Nineteen parishioners presented for not receiving the sacrament and two for not coming to their own parish church. Jane Arnedell for having a base child.

DOWDESWELL.—Five persons presented for not receiving the sacrament, one of them being Simon Young, nominated

rector's churchwarden, who was also excommunicated for his contumacy in not taking his oath to serve the office.

1685. WITHINGTON.—John Woolley, executor of the testament of Barbara Woolley, was cited to prove the same, which he did.

Afterwards until 1752, except for two cases of correction in 1719, and testamentary business, the only acts recorded are visitations and orders arising therefrom concerning transcripts, service books, repairs of the churches and the like.

There were also bundles of eighty-two original wills, inventories, administration bonds, etc., for the period 1624–1776; a book containing copies of twenty of the wills contained in the bundles and of five others, also notes of administrations granted 1715–1748; a calendar with index, 1624–1776. As there were some documents not entered in the calendar, and entries in the calendar without corresponding documents, the total number of estates concerned is ninety-nine.

As only one of these appears in the calendar of Gloucestershire wills issued by the British Record Society, and their existence was practically unknown, I compiled a list of the documents, adding details contained in the calendar and will-book; and the result is printed below.

As all wills and administrations were intended to be transferred to Gloucester probate registry on its formation in 1858, Mr. Fallon, with the approval of the lord bishop of the diocese, readily consented to transfer the documents, calendar, and will-book to the probate registry, where they are now more readily accessible to searchers.

In like manner he has transferred the two act-books of the peculiar court to the custody of the registrar of the diocese. In due course, when the war is ended and attention can be again given to useful work, the contents will form an interesting item in *Gloucester County* and *Gloucester and Bristol Dioceses—Ecclesiastical Records.*

WILLS PROVED AND ADMINISTRATIONS GRANTED IN THE COURT OF THE PECULIAR AND EXEMPT JURISDICTION OF WITHINGTON.

1624.

PARSONS, THOMAS, of Withington, husbandman.

Administration, dated December 10th, 1624, to Thomas Parsons of Winchcombe, husbandman, and William Bremsgrove of Withington, "taylor." Bond of William Osbern and . . . [illegible]. Inventory, undated, £2 12s. 10d.

1625.

WHITTORNE, JOHN, of Withington.

Will missing. Probate granted February 26th, 1624[5] to William Whittorne. Inventory missing, £66 2s.

PERRIN, HENRY, of Withington, husbandman.

Will dated January 6th, 1622[3]. Probate (missing) to Alice Perrin. Date of death, April 30th, 1625. Inventory, dated July 7th, 1625, £51 11s. 4d.

EBSON, EDMUND, of Withington, husbandman.

Will dated June 12th, 1625. Probate (missing) to Joan Ebson, his widow. Date of death, June 18th, 1625. Inventory, dated December 20th, 1625, £27 10s., exhibited by Joan Ebsonne.

ORTHWAY, HELLIN, of Withington, widow.

Inventory dated March 23rd, 1624[5].

1626.

PRICE, WILLIAM, of Dowdeswell.

Administration was granted September 26th, 1626, to Richard Price. Amount of inventory, £17 10s. 4d.

TEALE, ROBERT, of Withington.

Inventory dated April 20th, 1626. Allocation, dated September 19th, 1626, of portions to the widow and six children.

1627.

HOOPER, ROBERT, of Withington, husbandman.

Administration, dated May 28th, 1627, to Robert Payne of Nether Gyetinge, yeoman. Bond of Edward Smithe of the same place, "taylar." Inventory, dated May 28th, 1627, £5 19s. 10d.

RANDALL, JOHN, of Withington, yeoman.

Administration, dated June 25th, 1627, to Katherine Randall of Withington, spinster. Bond of Nicholas Longford of Withington, yeoman. Inventory, same date, £3 13s. 2d.

1628.

HYBBERT, HENRY, of Dowdeswell.

Will missing. Probate, dated June 26th, 1628, to William his son. Inventory missing, £8 10s. 8d.

MOSON, JOHN, of Dowdeswell.

Will missing. Probate, dated August 19th, 1628, to Thomas, his son. Inventory missing, £118 18s. 9d.

PERRIN, ALICE, of Withington.

Administration, dated September 26th, 1628, to Henry Perrin of Cirencester, blacksmith. Bond of Hugh Slye and Edmund Perrin of Cirencester. Inventory, dated September 26th, 1628, £33 11s. 8d.

1630.

TEALE, ROBERT, of Withington.

Appointment as trustee of the persons and portions of Richard and Mary, his children, dated March 9th, 1629[30], of Elizabeth Teale of Withington, widow.

1632.

CAFFOLD, RICHARD, of Withington.

Administration, dated September 18th, 1632, to Thomas Caffold and Richard Reynolds, both of Withington, husbandmen. Inventory, dated September 28th, 1632, £16 6s.

1634.

LAWRENCE, EDMUND, of Withington, yeoman.

Will dated January 1st, 1633[4]. Probate, missing, to Anne, his widow. Inventory, dated March 21st, 1633[4], £240 11s.

1637.

JONES, GILBERT, of Withington, smith.

Administration, dated February 21st, 1636[7], to Alice, his widow. Bond of William Jones of Withington. Inventory, same date, £28 3s. 4d.

FLETCHER, JOHN, of Withington, husbandman.

Administration, dated February, 21st, 1636[7], to Elizabeth, his widow. Bond of Robert Fletcher of Withington, yeoman. Inventory, same date, £34 17s. 6d.

1638.

KEYLOCKE, WILLIAM, of Hilcott in Withington, yeoman.

Will dated January 1st, 1634[5]. Probate, missing, to Ralph Keylocke, his brother, and Robert Fletcher, his kinsman. Inventory, dated December 11th, 1638, £357 1s. 8½d.

1639.

HOPKINS, JOHN, of Withington, labourer.

Administration, dated October 21st, 1639, to Elizabeth, his widow. Bond of Nicholas Longford and Thomas Hopkins. Inventory, same date, £46 11s. 8d.

1640.

BRADLIE, ELINOR, of Elstone [described in the inventory as of Withington], spinster.

Will dated November 3rd, 1639. Probate, missing, to Mary Fletcher, executrix. Inventory, dated February 1st, 1639[40], £24 8s. 10d.

FOX, JEFFERY, of Withington, husbandman.

Will dated May 12th, 1637. Probate, missing, to

Margarett Fox, his widow. Inventory, dated February 27th, 1639[40], £12 7s. 2d.

PHELPES, ELINOR, of Withington, widow.

Will dated —— 26th, 1639. Probate, missing, to Anthony Ansell and Thomas Phelpes. Inventory, dated April 1st, 1640, £54 7s. 4d.

ABINGTON, ELIZABETH, of Dowdeswell.

Will missing. Probate, missing, October 3rd, 1640, to Eliza Savage and Mary Izod, executrices. Inventory, missing, £686 9s. 7d.

1641.

HIBBERT, WILLIAM, of Dowdeswell.

Will missing. Probate, missing, March 23rd, 1640[1], to Mary, his widow. Inventory, missing, £80 16s.

1642.

TRINDER, MARGERY, of Dowdeswell, widow.

Administration, dated January 13th, 1641[2], to Gyles Edwards and Edward Clarke. Bond of Giles Robinson, Edward Robinson, and Edward Clarke. Inventory, dated as above, £100 2s. 6d.

1643.

FOX, MARGARET, of Withington.

Will dated March 11th, 1640[1]. Probate, missing, to Richard Reynolds. Inventory, dated May 22nd, 1643, £10 12s. 6d.

FREAKE, ANNE, of Withington, widow.

Will dated July 31st, 1643. Probate, missing, to William Driver, her son. Inventory, dated October 4th, 1643, £107 0s. 11d.

1645.

READING, WILLIAM, of Dowdeswell.

Will missing. Probate, missing, May 7th, 1645, to John Abington. Inventory, missing, £45 8s. 6d.

1646.

RUCK, ALICE, of Dowdeswell.

Will and inventory missing. Probate, missing, August 1st, 1646, to William Ingram.

1647.

FOX, ANNE, of Withington, widow.

Will dated April 8th, 1647. Probate, missing, to Anne Fox, her daughter. Inventory missing.

1648.

LONGFORD, NICHOLAS, of Foxcoat, Withington, husbandman.

Will dated March 24th, 1647[8]. Probate, missing, June 1st, 1648, to Simon, his son. Inventory, dated June 1st, 1648, £661 13s. 4d.

WHITTORNE, WILLIAM, of Foxcott, Withington.

Administration, missing, February 24th, 1647[8], to Mary, his widow. Inventory, missing, £78 7s. 8d.

MUSTO, RICHARD, of Withington, "millerd."

Will dated November 1st, 1648. Probate, dated November 22nd, 1648, to ——, his widow. Inventory, same date, £132 14s. 10d.

1649.

BURROW, EDMUND, of Withington, yeoman.

Will dated June 6th, 1649. Probate, missing, to Elizabeth his widow. Inventory, dated June 14th, 1649, £110 19s.

SMITH, RICHARD, of Withington.

Inventory, dated March 13th, 1648[9], exhibited July 9th, 1649, £58 7s. 4d.

DUTTON, HENRY, of Withington, gentleman.

Will dated October 10th, 1649. Probate, October 20th, 1649, to John, his son. Inventory, dated October 20th, 1649. sworn September 3rd, 1650, £27 0s. 10d.

1650.

WHITTORN, ELIZABETH, of Foxcott, Withington.

Will dated April 2nd, 1650. Probate, dated December 5th, 1650, at Cheltenham, to Robert Whittorn, her son. Inventory, missing, £120 5s. 2d.

1652.

HAINES, EDMUND, of Withington.

Inventory, dated July 4th, 1651, exhibited June 15th, 1652, £213 6s.

1662.

PRICE, JOHN, of Withington.

Will missing [is in Gloucester probate registry]. Date of death, July 6th, 1661. Inventory exhibited March 6th, 1661[2], £39 5s.

TUFFLEY, EMANUEL, of Dowdeswell.

Administration, missing, October 26th, 1661. Inventory, missing, £28.

1663.

CLEVELY, RICHARD, of Withington, weaver.

Will dated May 12th, 1658. Probate, missing, to John Cleevely, his brother. Inventory, dated January 26th, 1662[3], £21 4s. 8d.

HILL, JAMES, of Withington, husbandman.

Will dated September 20th, 1663. Probate, dated December 22nd, 1663, to Elizabeth, his widow. Inventory, dated December 22nd, 1663, £134 13s.

1666.

GIBBONS, RICHARD, of Withington.

Administration, missing, October 22nd, 1666. Inventory, missing, £147 10s.

LAWRENCE, RICHARD, of Withington.

Administration, dated October 22nd, 1666, to Elizabeth, his widow. Bond, same date, of Edmund Lawrence of Withington, husbandman. Inventory, same date, £63 15s. 8d.

1669.

WRIGHT, SEN., LAWRENCE, of Dowdeswell, husbandman.

Will dated August 27th, 1667. Probate, missing, to Elizabeth, his widow. Inventory, dated April 12th, 1669, £78 12s. 2d.

1670.

COPPER, JAMES, of Withington.

Administration [endorsed Cooper] to Elinor Copper, his widow. Inventory, dated December 26th, 1669, exhibited February 21st, 1669[70], £157 10s.

1671.

WHITHORNE, WILLIAM, of Withington.

Renunciation of administration, dated February 14th, 1670[1], by Hester, his widow. Administration, same date, to Anthony Chester of Cheltenham. Inventory, same date, £17 1s. 8d.

1672.

BURROWS, ELIZABETH, of Withington, widow.

Will dated October 27th, 1671. Probate, missing, to Edmund, Robert, William, and Joseph, her sons. Inventory, dated November 5th, 1672, £35 9s. 2d.

1673.

PAGETT, THOMAS, of Withington.

Will dated July 6th, 1672. Probate, dated March 23rd, 1672[3], to Joan, his widow. Inventory, same date, £42 14s. 11d.

1676.

LAWRENCE, ELIZABETH, of Withington, widow.

Will dated June 9th, 1674. Probate, missing, to Dorothy Lawrence, her daughter. Inventory, dated April 26th, 1676, £17.

1677.

JONES, RICHARD, of Withington.

Administration, dated . . . 1677, to Anne Jones otherwise Lawrence. Bond of John Jones of Bishop's Cleeve,

yeoman, Philip Jones of Withington, yeoman, and Samuel Jones of Wodmancote.

1685.

WOOLLEY, BARBARA, of Withington, spinster.

Will dated March 3rd, 1684[5]. Probate, bearing the seal of the peculiar court, dated June 3rd, 1685, to John Woolley. Inventory, same date, £52 15s.

1691.

COOPER, ELINOR, of Dowdeswell, widow.

Will dated December 10th, 1687. Probate, dated September 30th, 1691, to Elizabeth, wife of George Ansell. Inventory, missing, £15 10s.

1693.

JONES, ALICE, of Withington, spinster.

Nuncupative will dated February 28th, 1692[3]. Date of death, March 2nd. Inventory, dated March 3rd, £11 13s. 6d. Commission, dated March 6th, to administer the oath to administratrix. Administration, with will annexed, dated March 7th, to Jane Booker, otherwise Jones, her sister. Bond of Robert Booker of Withington, and William Booker of the same, day labourer.

JONES, PHILIP, of Withington, yeoman.

Administration, dated May 24th, 1693, to Elizabeth, his widow. Inventory, dated November 18th, 1692, £17 0s. 6d.

JONES, ELIZABETH, of Withington, widow.

Administration, dated October 18th, 1693, to Thomas Trinder of Windrish, yeoman, principal creditor. Bond, same date, of Thomas Bradley of Lower Guiting, and Francis Rowdon of Cheltenham, innholder. Inventory, same date, £11 3s. 6d.

1694.

HODGES, HENRY, of Dudswell, parish of Withington,[1] husbandman.

[1] Buried at Withington, March 23rd, 1693[4].

Will dated March 16th, 1693[4]. Probate, dated July 16th, 1694, to Elizabeth Hodges, his widow. Inventory, missing, £253 5s.

1700.

LONGFORD, JOSEPH, of Foxcott, Withington, yeoman.

Will dated February 16th, 1699[1700]. Probate, dated May 23rd, 1700, to Elizabeth, his widow. Inventory, same date, £25.

RUDGING, otherwise BROMSGROVE, MARY, of Dowdswell.

Administration, dated September 17th, 1700, to William Rudging, her husband. Bond, same date, of Guy Ellis of Gloucester, ironmonger, and Robert Freeman of Gloucester, "joyner." Inventory, missing, £10.

1703.

HALL, RICHARD, of Withington, yeoman.

Will dated March 17th, 1701[2]. Probate, dated April 27th, 1703, to Catherine, his widow.

1705.

LONGFORD, THOMAS, of Foxcoatte, Withington, yeoman.

Will dated March 10th, 1704[5]. Probate, dated April 27th, 1705, to Samuel Longford, his brother.

LONGFORD, ELIZABETH, of Upcoate, Withington, widow.

Will dated January 27th, 1704[5]. Caveat entered February 27th, 1704[5], by John Randle, principal creditor. Renunciation, dated April 27th, 1705, by the executor. Administration, with will annexed, same date, to John Randle of Withington, yeoman, during minority of Elizabeth Longford. Bond, same date, of John Powell of Shipton Olliffe, yeoman. Inventory, missing, £42.

1706.

APPLEGATH, JOHN, of Dowdswell, gentleman.

Will missing. Probate was granted April 25th, 1706, to Philippa, his widow.

1712.

LONGFORD, JUN., SAMUEL, of Foxcoate, Withington, gent., bachelor.

Renunciation of administration, dated May 2nd, 1712, by Katherine, his mother. Administration, dated May 3rd, 1712, to John, his brother. Bond, same date, of William Hayward of Gloucester, gentleman, and William Mills of Gloucester, innholder.

LONGFORD, SEN., SAMUEL, of Foxcott, Withington, gentleman.

Will dated February 25th, 1710[1]. Renunciation, dated May 2nd, 1712, by Katherine Longford, the mother of Samuel Longford, jun., sole executor of Samuel Longford, sen., his father. Administration with will annexed, dated May 3rd, 1712, to John Longford of Foxcote, gent., his son. Bond, same date, of William Hayward of Gloucester, gent., and William Mills of Gloucester, innholder.

TURNER, JOHN, of Withington.

Administration, dated June 19th, 1712, to Anne, his widow. Bond, same date, of Robert Turner of Cirencester, maltster, and Robert Sly, sen., of Withington, yeoman. Inventory, same date, £12.

LAURANCE, JUN., EDMUND, of Withington.

Will dated August 13th, 1711. Probate, dated July 17th, 1712, to Joan, his widow, and James, his son. Inventory, dated August 28th, 1711, exhibited July 17th, 1712, £193 9s. 5d.

1713.

WHITHORNE, ROBERT, of Foxcott, Withington.

Administration, dated March 24th, 1712[3], to Robert Lawrence of Anford, his nephew and heir at law, the widow renouncing. Bond, same date, of Robert Wintle of Gloucester. Inventory, same date, £599 13s. Letter from John Gillman, the rector, to Thomas Burgis, notary public.

1714.

BRASSINGTON, ROBERT, of Withington, "taylor."

Will dated November 23rd, 1712. Probate, dated May 7th, 1714, to Elizabeth, his widow. Inventory, dated November 1st, 1713, exhibited May 7th, 1714, £33 5s.

1715.

BURROWS, EDMUND, of Withington, yeoman.

Will dated April 8th, 1705. Probate, dated January 12th, 1714[5], to Ann, his widow. Inventory, dated January 12th, 1714[5], £275.

1717.

CROOKE, ANTHONEY, of Foxcott, Withington, yeoman.

Will dated March 12th, 1711[2]. Probate, dated June 17th, 1717, to Anne Peach, his daughter. Inventory, same date, £42 3s.

1719.

DICKASON, WILLIAM, of Withington, weaver.

Will dated October 29th, 1716. Probate, dated November 17th, 1719, to John Dickason, his son. Inventory, same date, £3 18s. 6d.

1720.

VENFIELD, HENRY, of Dowdeswell.

Copy of will dated April 23rd, 1718. Probate, dated April 25th, 1720, to Mary, his widow.

POWELL, MARY, of Foxcote, Withington, widow.

Will dated July 6th, 1720. Probate, dated August 9th, 1720, to Isaac Tray of Aston Blank and Lawrence Maule of Notgrove.

LAWRENCE, ANTHONY, of Foxcote, Withington, yeoman.

Administration, dated October 6th, 1720, to Elizabeth, his widow. Bond, same date, of John Rogers of Dowdeswell, and William Rogers of Withington. Inventory, dated December 9th, 1719, £574 9s. 6d.

PRICE, JOHN, of Withington, yeoman.

Administration, dated October 6th, 1720, to Catherine, his widow. Bond, same date, of William Rogers of Withington, yeoman. Inventory, same date, £1.

1721.

POWELL, WALTER, of Foxcote, Withington.

Will dated January 11th, 1720[1]. Probate, dated January 21st, 1720[1], to William Powell, his brother. Inventory, same date, £53 8s.

LOOKER, WILLIAM, of Withington, gentleman.

Will dated November 20th, 1708, with codicil dated January 27th, 1714[5]. Probate, dated February 23rd, 1720[1], to William Morse. Inventory, same date, £43 10s.

1722.

TURKE, NICHOLAS, of Withington, husbandman.

Administration, dated September 6th, 1722, to Mary, his widow. Bond, same date, of Richard Faulks of Withington, yeoman, and Richard Hathaway of Gloucester, yeoman. Inventory, dated September 26th, 1721, £307 10s.

COLLETT, WILLIAM, of Withington.

Renunciation of administration, dated July 10th, 1721, by Elizabeth, his widow. Administration, dated September 6th, 1722, to Thomas Collett of Withington, his son, yeoman. Bond, same date, of William Rogers and Robert Shill, of Withington, yeomen. Inventory, dated July 8th, 1721, £133 19s.

1724.

WRIGHT, LAWRENCE, of Dowedsell, husbandman, yeoman.

Will dated May 24th, 1723. Probate, dated October 17th, 1724, to Mary Hale, daughter. Inventory, dated January 4th, 1723[4], £52.

1725.

HATHAWAY, GILES, of Dowdeswell.

Administration, dated November 4th, 1725, to Elizabeth, his widow. Bond, same date, of Thomas Hathaway and John Driver, both of Dowdeswell, yeomen. Inventory, dated July 30th, 1724, £138 10s.

TURKE, MARY, of Withington, widow.

Administration, with guardianship of John, Ann, and Charles Turk, dated December 3rd, 1725, to John Baldwin and Richard Turk, yeoman, both of Chedworth. Bond, dated December 17th, 1725, of Thomas Fletcher and Caroline Turk, both of Chedworth. Inventory, dated November 22nd, 1725, £80 13s.

1728.

BURROWS, ANNE, of Withington, widow.

Will dated June 27th, 1726. Probate, dated January 6th, 1727[8], to Richard Burrows, her son. Inventory, dated January 10th, 1727[8], £356.

SILLS, GEORGE, of Withington, shoemaker.

Will dated November 30th, 1727. Probate, dated July 26th, 1728, to Martha, his widow. Inventory, dated June 20th, 1728, £24.

1730.

JACOB, THOMAS, of Withington, yeoman.

Administration, dated October 2nd, 1730, to Susanna Jacob, his widow. Bond, same date, of Thomas Jacob of Withington, yeoman. Inventory, dated July 15th, 1730, £755 10s. 6d.

FAULKS, RICHARD, of Withington, husbandman.

Administration, dated October 2nd, 1730, to William Faulks of Withington, yeoman, his brother. Bond, same date, of Henry Woolley of Withington, yeoman. Inventory, dated August 24th, 1728, exhibited October 2nd, 1730, £14 18s.

MAJOR, WILLIAM, of Dowdeswell.

Copy of will dated April 1st, 1729. Probate, dated October 2nd, 1730, to Giles Major.

1733.

HUMPHRIS, ANNE, of Peglesworth, Dowdeswell, widow.

Will dated January 12th, 1732[3], with codicil dated April 26th, 1733. Probate, dated May 19th, 1733, to Joseph Killmaster, sole executor.

1734.

ROGERS, REBECCA, of Dowdeswell, widow.

Copy of will dated July 4th, 1733. Probate, dated October 16th, 1734, to Elizabeth Matthews, executrix. Inventory, missing, £15 10s.

1736.

LAWRENCE, ROBERT, of Dowdeswell, gent.

Will dated January 12th, 1735[6]. Probate dated June 21st, 1736, to William Rogers.

1737.

RUSSELL, MARY, of Withington, widow.

Will dated August 13th, 1736. Probate, dated May 18th, 1737, to Gregory Russell, her son.

1739.

WILKINSON, ROBERT, of Withington, gentleman.

Will dated October 3rd, 1726. Probate, dated June 9th, 1739, to Annabella Wilkinson, his sister.

COLLETT, EDMUND, of Withington.

Copy of will dated October 28th, 1728. Probate, dated June 9th, 1739, to Katherine Collett.

1742.

BRASSINGTON, JOHN, of Withington.

Copy of will dated October 31st, 1741. Probate, dated October 29th, 1742, to Elizabeth Faulks.

ROGERS, ANTHONY, of Withington, yeoman.

Will dated October 30th, 1735. Commission to administer oath to his relict, the executrix, dated December 27th, 1742. Oath of executrix, dated December 29th, 1742. Probate, same date, to Ann, his widow.

The commission bears a good impress of "Sigillum jurisdiccionis de Wedyngdon." The centre contains the Madonna seated under a canopy, crowned, holding a sceptre (or lily) in her left hand, and the child Jesus, haloed, on her right arm.

1743.

SMITH, RALPH, of Withington, yeoman.

Administration, dated November 7th, 1743, to Hannah, his widow. Bond, same date, of William Joachman of Chedworth, yeoman. Inventory, dated September 23rd, 1743, £23 12s.

1748.

WILKINSON, ANNABELLA, of Withington, gentlewoman.

Will dated August 26th, 1746. Probate, dated June 15th, 1748, to Ann, wife of John Woolley.

1776.

WOOLLEY, JOHN, of Withington.

Will dated June 14th, 1762. Probate was granted July 2nd, 1776, to Ann Woolley, his widow.

PAUNTLEY MANOR AND THE PAUNTLEY CUSTOM.

By EDWARD CONDER, F.S.A.

The Manor of Pauntley at the Domesday Survey was held, together with the Manor of Kilcot and certain hides of land in Ketford and the Hay, by Ansfrid de Cormeilles, the recipient of many other manors; and in consequence of his marriage with the niece of Walter de Laci he became one of the largest landowners in the county. Besides holding upwards of 10,000 acres in Gloucestershire,[1] Ansfrid de Cormeilles held the Manors of Hope and Aston in the adjoining County of Hereford, which he probably obtained through the influence of William FitzOsbern, first Earl of Hereford, the founder and great benefactor of the Abbey of Cormeilles in the Diocese of Lisieux, Normandy.

It was at his Manor of Hope, just over the border of the county, some nine miles from Pauntley, that his descendants continued to reside for four generations.

Richard Cormeilles, his son, was father of a second Richard, and grandfather of Walter Cormeilles, who married Albreda de Marmion, and left by her four daughters, his co-heiresses, viz. Albreda, married to John le Brun; Sibyl, the wife of Hugh Giffard; Alice, married to Godfrey de Craycumbe; and Margaret, the wife of Walter de Stokes.[2]

At the death of Walter de Cormeilles his estates were divided between his four daughters. The Manors of Hope

[1] The Rev. C. S. Taylor, "The Domesday Survey," *Trans. B. and G. Arch. Soc.*.

[2] Duncumbe's *Herefordshire*, vol. iii., p. 139, the continuation by W. H. Cooke, 1882.

and Aston in the County of Hereford, together with the Manor of Pauntley, and certain other land in Gloucestershire, came to Margaret, the wife of Walter de Stokes. She dying without male issue, her property was divided between her two daughters, co-heiresses. The elder, Alice, carried the Manor of Aston in marriage to Robert le Archer. The younger, Isabel, wife of Simon de Solers, inherited the Manors of Hope and Pauntley.[2]

These manors remained in the Solers family until 1310, when by Inquisition P.M. it was found that John, son of Thomas Solers, held at his decease, besides the Manor of Solers Hope, the Manor of Pauntley in Gloucestershire, and that his "kinsman" William de Wytington was his heir (see pedigree *post*).

By the marriage of this William de Wytington of Co. Warwick with Maud, only daughter and heiress of John Solers, the Manors of Solers Hope and Pauntley became vested in the Whittington family from 1310 to 1546.

The Whittingtons of Pauntley played a not unimportant part in the history of the county. Sir William Whittington represented Gloucester in the Parliament summoned at Lincoln in 1327. His son, Sir William, was chosen to represent the shire in the Parliament holden at Westminster in 1348. Robert Whittington served the office of Sheriff of the county in 1402 and again in 1407. His son, Guy Whittington, was Sheriff in 1426 and 1432, and Thomas Whittington served the office in 1473.[1]

Sir Guy Whittington commanded a company at Agincourt.[2] He served the office of Sheriff in 1426, and was thrice chosen to represent the county in Parliament.[3] His eldest son, Robert, died in France while serving his country during his father's lifetime. His grandson, William, who succeeded to the Pauntley and other estates, represented the

[1] Duncumbe's *Hist. of Herefordshire* and Rudder's *Gloucestershire*, 53.

[2] Hunter's *Agincourt Papers*, quoted by W. H. Cooke, in Duncumbe. iii., 142.

county in 1455, and is described in the official return as *notabilis armiger.*[3] He died in London, and was buried in the Grey Friars' Monastery, where there was a monumental inscription as follows :—[1]

"Gulielmus Whytyngton armiger Dominus de Pauntley in Comit: Glouc: Obiit Novm. MCCCCLXX."

Of the famous Sir Richard Whittington, Lord Mayor of London, much has been written; and although there is strong ground for believing him to be a younger son of Sir William Whittington of Pauntley, yet proof is still wanting. Nevertheless, a fair case has been made out by the late Rev. Samuel Lysons, and I refer the reader to his brief.[2]

John Whittington, Sheriff of Gloucestershire in 1517. By his first wife, Elizabeth, daughter of Sir Richard Croft, of Croft Castle, Herefordshire, he was father of Thomas Whittington, who succeeded to the Pauntley Manor. By his second wife, Elizabeth, daughter of Simon Milborn and widow of Sir Thomas Mornington, of Sarnfield, he had four sons and one daughter. To Alexander Whittington he gave, according to the Heralds' Visitation of 1569,[3] the Notgrove estates, although some pedigrees state that it was given to another son, William Whittington.[4]

Thomas Whittington, the eldest son, succeeded to the Pauntley and Herefordshire estates on the death of his father. He married Margaret, daughter of William Needham, and dying in 1546 without male issue, his estates were divided between his six co-heiresses. To Elizabeth, his eldest (?) daughter, he left the Pauntley Manor, which she carried in marriage to Sir Giles Poole of Sapperton. She died according

[1] Continuation of Duncumbe's *Hist. of Gloucestershire*, vol. iii., by W. H. Cooke, 1882, 143.

[2] *The Model Merchant*, by the Rev. S. Lysons, 1860, especially 16, 74 and pedigrees, 18 and 82.

[3] Harleian MSS. 1041 and 1543.

[4] For details consult Harleian MSS. 6726; *Visitations of Glouc*, 1533, 1583, 1623 and 1682; also *Catalogue Ayscough*, 5013, Lysons and Dugdale.

to some authorities in 1558, but the following is on a brass on the south wall of the chantry in Pauntley Church :—

"Here Lyeth Elizabeth, late Wyff of Sir Giles Pole, Knyght, oon of the Daughters and sixe coheires of Thomas Whyttyngton esquyer decessyd, which Elizabeth passyd from this Transytory lyff ye xviii day of Septeber in the yere of or Lord God MVCXLIII, on whose Soull God have m'cy."

Her husband, Sir Giles Poole, died in 1588, and was followed by his son, Sir Henry Poole of Sapperton. He does not appear to have resided at Pauntley, as at his death in 1619 his son and successor, Henry Poole, caused a very carefully-drawn enquiry to be made at his first Court Baron concerning the Custom of the Manor.

From a copy made by the steward of this enquiry, and the answers given at the Court Baron, now in the possession of Mr. O. T. Price of Newent, I am able to reproduce these questions and answers. Students of Court Rolls will note the unusually detailed enquiry into the Custom of the Manor. The MS. is a folio of eight pages, two blank, stitched in a contemporary cardboard cover, measuring 12¼ inches by 7 inches. It is written in a clear script, and I have endeavoured to follow the orthography throughout. The copy is endorsed on the cover :—

"MANERIUM DE PAUNTLEY CUM CONSUETUDINE EUSDEM LOCI;"

and on the first page the heading is followed by the articles for enquiry :—

MANERIUM DE PAUNTLEY

September 2° 1619

Articles to be Enquired of

1. First as no doubt you all know, that Henry Poole of Saperton in the County of Glouc' Esqr is the true and vndoubted owner of this Manner and of all the Lands, Meadows, Pastures and other Hereditam^ts within and belonging to the

same, and that you and every of you do hold your Lands belonging to this Manno^{r} of him; if not who hath the true Interest and right of the same to your knowledge?

2. Whether there be any other Manno^{r} or Manno^{rs} lying within the Limitts or Circuit, or extending in part into this Manno^{r}. What are the names of the Manno^{rs}, and who are the owners of the same and how are they distinguished from this Manno^{r} and whether this Manno^{r} doth anyways extend into or lie within any other Manno^{r}?

3. What Freeholders are there within or doe belong vnto and hold their Lands of this Manno^{r}. What are their names; what Land hold they, what rent pay they, by what tenure doe they hold, and what services owe they to the Lord?

4. What Comons are there within the Lord^{p} which doe properly belong to the Lord and Tenants of this Manno^{r} and how is the same stinted[1] or laid?

5. Whether hath any man to your knowledge Incroached any part of the Lords Waste by Inclosure, or added any part thereof to his own Lands, who hath so done, where, how much and how long hath itt continued?

6. Also you must present the Names of all Customary Tenants within or belonging to this Manno^{r}. What Messuages Tenem^{ts} or Lands they hold and what every Messuage or Tenem^{t} is called, what rent it payeth, and what Profitt ariseth to the Lord by the death of any such Customary Tenant, or by the death of any Freeholder, by Fine, Herriott or Reliefe, by Custome of the Manno^{r}?

7. Whether are there any Customary Tenem^{ts} or other Lands that are Heriottable, Dismembered and divided into Parcells to the weakening of the Tenem^{t} and defrauding the Lord of his Herriott?

[1] To "stint" was to divide pasture according to the number of animals to be fed on it. Sometimes "stinting" setting a portion of common meadow to one person only.

A WHITT

WHYTINGTON of

WILLIAM WHYTINGTON=HAWISE,

WILLIAM DE WHITYNGTON=MAUD,
of Pauntley and Solers Hope in right of his wife.

SIR WILLIAM WHITYNG
of Pauntley and Solers Hope, ob. 1332.

SIR WILLIAM WHITYNGTON=JOAN=THOS
of Pauntley and Solers Hope, ob. 1360.
d. of William Man

WILLIAM WHITTINGTON=CATHERINE STAUNTON.
of Staunton, Co. Worc., Pauntley, Co. Glouc., and Solers Hope, Co. Heref., ob. 1399.
ob. s.p.

ROBERT WHITTINGTON=
of Pauntley, Solers Hope and Staunton, ob. 1424.

WILLIAM WHITTINGTON,
ob. s.p. 1425.

GUY
of Pauntley
(See Hunte
Ob. 1490.

ROBERT WHITTINGTON=ELIZABETH,
ob. vita patris 1437.
d. of Baldwyn Rouse.

THOMAS WHITTINGTON=MARGARET, JOH
d. of John Edwarde

ROBERT,
ob. cœl.

WILLIAM WHITTINGTON=ELIZABETH,
of Pauntley and Solers Hope, ob. 1470.
d. of Renfred Arundel of Lanhearn, Cornwall.

GUY.

1st ELIZABETH=JOHN WHITTINGTON = 2nd ELIZABETH,
d. of Sir Richard Croft of Crofts Castle.
of Pauntley and Solers Hope.
d. and co-heir of Simon Milborn of Tillington, and widow of Sir Thos. Mornington.

THOMAS WHITTINGTON=MARGARET,
of Pauntley and Solers Hope, ob. 1546.
d. of William Needham.

WILLIAM WHITTINGTON,
of Notgrove.

ALEXANDER WHITT
of Holme Lacy,
1570.

ELIZABETH=SIR GILES POOLE,
ob. 1553 (?)
of Sapperton, ob. 1588.

ANNE=BRICE BERKELEY,
of Wotton-under-Edge.

JANE=JOHN BODENHAM,
of Rotherwas.

SIR HENRY POOLE=ANNE, d. of Sir Wm. Wroughton.
of Sapperton and Pauntley, ob. 1616.

SIR HENRY POOLE= BEATRIX, d. of William Br
of Sapperton and Pauntley.

WILLIAM POOLE=MARIAL, d. of Lord

HENRY POOLE, last male heir,

IGREE.

Arms—Gules, a fess chequée or and az.

o. Warwick.

of Hugh Aguillon, temp. Ed. I.

rs of Pauntley and Solers Hope.

EGINALD DE ABENHALL, 9 Ed. II.

net.

Coberley, Sheriff of Glouc. 1334.

RESFORD. | GUY ob. cœl. | SIR RICHARD WHITTINGTON=ALICE FITZWARREN, Lord Mayor of London, ob. 1423. | ob. s.p.

CECILY, d. of John Browning and heiress to her brother Richard. She inherited the Manors of Notgrove, Rodborough and Lye. | ISABELLA=ROBERT AP EYNON.

=ISABELLA BENNETT. | GILES. | RICHARD=ISABEL LENGEN. of Lye. | HUGH. | MARGARET.

MAUD.

ELIZABETH=JOHN TREGENNA. | CECILIA. | MARY. | ANNE.

ARET DAUNSEY. | JOHN WHITTINGTON. | CHRISTOPHER WHITTINGTON. | BLANCH.

GEORGE WHITTINGTON, of the Inner Temple, living 1564. | RICHARD WHITTINGTON, of Holme Lacy.

=SIR THOMAS THROCKMORTON, of Tortworth. | ALICE=JOHN NANFAN, of Birts Morton, Co. Worc. | BLANCH=JOHN ST. AUBYN, of Clowance, Cornwall.

andos.

and Sapperton Manors 1660.

8. How and by what means may a Customary Tenant forfeit his Coppiehold or Ten^{t}, whether for selling of Timber Trees, ploughing vp Lay Ground or meadowes never tilled before, or for suffering his houses to decay, or for pulling down any houses or for comitting any other wilfull waste, or demiseing his Customary Ten^{t} or Lands for longer terme then the Custome of the Manno^{r} will beare or for comitting any other act contrary to the Custome of the Manno^{r}. And whether hath any Tenant of the Manno^{r} offended in any of the former things, who it is, and wherein is any such offence comitted ?

9. What are the Customes of the Manno^{r} in generall both on the behalfe of the Lord to performe or suffer to the benefitt of the Tenants, and of the Tenants to performe to the service of the Lord.

10. What Customary Cottages or other Cottages are there within this Manno^{r}, or Tofts, Crofts, or Curtilages what are the Tenants names, what rent pay they and what services doe they ?

11. What Tenants are there within this Manno^{r} that doe hold any Land by Indenture of Lease or att will, what are their names, what Land hold they, for what rent, vnder what Conditions and Covenants, for what terme of yeares or Lives ?

12. Whether hath the Lord of this Manno^{r} any Custome Water Mill or Mills, and whether the Tenants of this Manno^{r} are not tyed by Custome to grind att the Lords said Custome Mills, yea or not ?

14. Whether hath not the Lord of this Manno^{r} time out of mind had and received all Wayves, Estrayes, Fellons Goods, treasure found within the Manno^{r} and such like profitts, yea or not, if not to whom is the same answered and who is Collector thereof ?

15. What Pensions, Portions, Payments or Fees are or ought to be paid, and for what, and what rent or annuitie is

there paid or ought yearly to be paid out of any Manno^{r} or by any person vnto the Lord of this Manno^{r} ?

16. Who hath Advouson, Nominacon, P^{r}sentacon and Gifte of the Parsonage, Vicarage, or Free Chappell whereunto this Manno^{r} belongeth ?

17. Who is the Lo: Bayliffe, what is his name, what yearly Fee hath he, and whether hath he a Pattent for life or is at the Lo: Will and who is Steward of the Lo: Courts, what is his Fee and whether doth he hold it by Patent or at Will, who is Woodward, and what other Officers are there within or belonging to this Manno^{r} And what are their Fees ?

18. Within what Diocess and Deanery within what Division and Hundred lieth this Manno^{r} and to what Place are you the Tenants usually called to doe your Services to Muster and shew your Arms and Weapons, and what Beacons are you appointed to Watch and Ward at ?

19. What Market Townes lie nearest round about this Manno^{r} and how many miles distant ?

20. Lastly you shall duely and diligently sett downe or shew vnto the Lo^{s} Surveyor in his Prambulacon of this Manno^{r} all the Circuit, butts bounds and limitts of the same and vpon what and whose Manno^{rs} Lordships, Lands and Parishes it bordereth on all parts, and whether any Confineing Lord or his Tenants doe anywhere Intrude or Incroach vpon this Manno^{r}, where it is, by whom, and how much is soe Incroached.

JOHN POOLE *Se^{lns} ibem*
ELIAS ALLEN *Supvis*

GLOUC^{R} MANERIUM DE PAUNTLEY

The P^{r}sentment of vs George Woode gent, William Puckmore, Thomas Addis, Roger Byrch, Thomas Hopkins, Gyles Turnor, Deverexe Baldwin, John Humfreis, Thomas Chedworth, and Roger Hill, Homagers Sworne at the Court Baron and Court of Survaie holden the second day of

September Anno Dni 1619, for the said Manno^r^ for and in the name of Henry Poole of Sappton in the said County Esqr Lord of the said Manno^r^ by John Poole Gent his then Steward and Elias Allen Gent Surveyor, To the Articles by them to vs the said Homagers given in Charge to be enquired of, viz.

To the First Article wee p^r^sent that wee all doe vndoubtedly thinke and believe that the said Henry Poole is Lord of the said Manno^r^ and of all Lands Meadows, Pastures and hereditaments therevnto belonging to the said Manno^r^ of him.

To the Second Article wee p^r^sent that doe not know neither have heard of any other Manno^r^ lying within the Limitts or Circuit or extending in part into this Manno^r^ or that this Manno^r^ doth any wise extend into or lie within any other Manno^r^—Saveing that Lawrett Pauncefoote Widow holdeth one meadow called Stock meadow as Coppiehold lying within the Parish of Ridmarley Dabitott in the County of Worcester, and that Thomas Chedworth holdeth one Coppiehold Tenement lying within the Parish of Newent in the said County of Gloucr and that William Puckmore holdeth one Acre of Coppiehold Land or thereabouts lying in the said Parish of Newent, All which are parcells of the said Manno^r^.

To the Third Article we present that the Freeholders belonging to this Manno^r^ as they are usually called at the Courts holden for the said Manno^r^ are the heires of Sir Edward Winto^r^ Knight deceased for Gorsley Court, the same for Hillhouse, Thomas Hooke Gent for Crooks the same Thomas for Gellams, Thomas Booth Gent for Nottham, the same Thomas for Kingdens, Thomas Woodward for Loveings, William Wall for Hoden Hill, Thomas Hill for Cues, John Dabitott Gent (as Thomas his son hath affirmed at this Court) for a meadow lying vnder Great Heyridge. What rent they pay, by what tenure they hold and what service they owe vnto this Court we referr ourselves therein to the Court

Rowles and Ancient Records of this Manno^{r}. Alsoe we p^{r}sent William Woode a Free Suiter to this Court in the right of his wife for Land late Guy Martens which Land notwithstanding is held of the Manno^{r} of Carswells within the Parish of Newent as wee are informed. Alsoe Randall Dobins Gent holdeth certain Lands and Wood within the Manno^{r} of Pauntley.

To the Fourth Article we P^{r}sent that the Tenants of this Manno^{r} are entercomoners in part of Brand Green a part of Poole Hill and a part of Botlowe Green, but wee never knew or heard that the said Commons were ever stinted or laid.[1]

To the 5^{h} Article we p^{r}sent that about thirty years past Thomas Wall, Father of the foresaid William Wall, did Incroach a Watering place out of the Waste and added the same to Hoden Hill aforesaid, and one other Watering place likewise, and added the same to a feild called Perry Feild.

To the 6th Article wee P^{r}sent that for the names of the Customary Tenants within or belonging to this Mano^{r} what Messuages Lands Tenem^{ts} they hold, How they are called, what rent it payeth and what profitt ariseth to the Lord by the death of any Customary Tenant or Freeholder by Fine, Herriott, or Releife, we referre ourselves to the Court Rowles of this Manno^{r} where these things are recorded.

To the 7th Article We Present that we do not know of any Customary Tenem^{ts} or Lands Herriottable dismembered & divided into parcells, to the weakening of the Tenem^{t}, and defrauding the Lord of his Herriott.

To the 8th Article we present that a Customary Ten^{t} may forfeit his Coppiehold or Tenem^{t} by such means as shall be expressed in our Presentment to the next Article touching the Custome of this Manno^{r} whether we referre ourselves.

To the 9th Article we present that the Custome of this Manno^{r} is and time out of Mans Memory hath been, that the

[1] *i.e.* portioned off to individual tenants.

Lord by his Steward in open Court may Grant Estates by Coppie of Court Rolle of any the Customary Lands and Tenem^{ts} of this Manno^{r} to any person or persons whatsoever (being capable by the Lawes of this Realme to take by Grant) for one two or 3 Lives in possession and not for any more Lives.

If it happen any Coppie of Court Rolle to be made or granted for the terme of one, two, or 3 Lives, altho the First or Second person named in the Coppie be dead, yet the Lord canot grant any Estate in revercon thereof for the Custome will not allowe of any Revercon whatsoever.

That all Grants by Coppie Surrenders made and to be made forth of the Court and not in open Court, are mearly voide and of none effect.

If an Estate be made by Coppie for one two or 3 Lives and then the First Taker Dyeth, and the Second named in the Coppie cometh not in to make his Claime within Twelve Monthes and a day, if any Court be then holden, or att the next Court holden after the expiracon of the same 12 monthes and a day, the Third and last named in the Coppie may enter in his own Rights and hold the same according to the Custome during his Life. And if the Third or last named in the Coppie come not in to make his Claime in such manner as is aforesaid, Then the Lord may reseaze and enter in his own right and regrant the same over to any others, alwayes excepted cases of necessity, as Sickness, Imprisonment or beyond the Seas.

That upon the Death, Surrender and Forfeiture of every Tenant the Lord is to have the best Beast of his Tenant dying seised for and in the name of an Herriott, and the Lords Baylife or Officer may seise the same to the Lords use.

That every Messuage is Herriotable and is to yeild a Herriott in such manner and forme as usually in times past hath been paid.

That the Custome of this Manno^{r} will not allow or p.mit any Free Bench or Widows Estate.

That vpon every Admittance the Steward is to take but One Penny.

If the Lord License any of his Customary Tenants to lett or sell their Coppieholds or any part thereof such License soe made by the Lord shall enure and be good but to this effect following (vizt) If the Lord Grant a Coppy for One, Two or Three Lives, then if the Lord License the first taker, or any of the other named in the Coppy, when they have the possession, such License may be made for any number of yeares to be good for the same Yeares if he to whom such License is made soe long shall live or such License may be made for the Life of the Party soe Licensed. And for no longer time. And that every one named in the Coppy can have no License to lett but during his or their severall Lives. Soe that after his or their death, Surrender or Forfeiture, the next in the remainder may enter.

That all Coppys of License ought to be made and Granted before the Homage in the face of the Court, or otherwise they be mearly void, as if there had never beane any such License, vnless the Lord please to give License vnder his hand and Seal which he may doe.

If a Customary Tenant doe Lett or Sett his Customary Tenement or any part thereof or any part of Land therevnto belonging, for any time longer then for one yeare and one day without License of the Lord by his Steward in open Court, it is forfeiture of his whole Tenancy.

If a Customary Tenant Cutt downe any timber Trees as sound Oakes, Ash or Elme and doth sell, burn, or Give away the same without License of the Lord or his Steward in open Court, this doth also cause a Forfeiture of the whole Tenancy.

Every decay or ruine of any Customary Tenement is a paine to the Tenant to amend it: By two Paines at two several Courts at the direcon of the Homage which being vnrepaired and not done at the Third Paine: It is forfeiture of the whole Tenancy.

Every Customary Tenant may dwell of and from his

Customary Tenem^{t} at his pleasure, keeping it in his own hands without any forfeiture or penalty in that behalfe.

All Manner of Exchanges by any Customary Tenant of their Customary hold or any Part or Parcell thereof without License doth inferre a Forfeiture of the whole Tenancy.

A Customary Tenant may take in and harbour his Father, Mother, Sister, Brother, Wife or Child, or all or any of them to dwell and abide and there to remaine att their wills and pleasures, but not to Substitute and take them as vndertenants, takeing Rent of them without License of the Lord by his Steward in open Court vpon paine of forfeiture of their Whole Tenancy's : For the takeing or substituting into any Customary Tenem^{t} any vndertenant or Inmate without such License as aforesaid, brings a forfeiture of the whole Tenancy.

That the first Taker or first named in every Copy may Surrender all the Customary lands and Tenem^{ts} which he doth hold from all the rest named in the Coppy, altho' any of the rest named in the same Coppy doe pay part of the Fine, as if there had been never such Grant or Coppy made.

But if the first named in the Coppy doth not surrender in his life time, then the survivo^{r} that is next named in the Coppy canot Surrender neither his own Interest nor the Interest of the Third without both Surrender in the Court jointly together.

As the first Taker may Surrender from the rest so all manner of forfeitures done by the first doe forfeit and Loose the whole State right and Interest of all others in the Coppy : but the second Taker canot loose or forfeit but his own Estate and rights. [1]

The Customary Tenants of this Manno^{r} may have and take att all times convenient sufficient & competent hedge boote, hay boote, house boote, plough boote, cart boote and fire boote in and vpon their Customary Lands

[1] This Pauntley custom of a copyhold let for three lives, with the restriction imposed on the second life is very interesting.

and Tenem^{ts} (but all Timber for new building ought to be delivered and appointed by the Bayliffe or Officer in that behalfe) And these they are to take and have without any Forfeiture or Impeachment whatsoever not doing any voluntary or wilfull waste.

That all Grants by Coppy, Surrenders and Licenses made and to be made contrary to the Several Customes before sett down are mearly void and of non effect.

These are the Customes of this Manno^{r} as well on the behalfe of the Lord as of the Tenants.

To the 10th Article we present that as touching Customary Cottage or other Cottages, Tofts, Crofts, or Curtilages, we know of none but these (vizt) One Cottage in Poole Hill, where one John Tayler dwelleth with his wife and children, and also in the Hollend another poore cottage wherein dwelleth Sibble Cooke a poore Lame Woman which cottages are built on the Waste for the releife of the poore persons, and they pay noe rent, for they are persons for the most part releived and kept by the Tenants of this Manno^{r} and other the Parishioners of Pauntley.

To the 11th Article we present that besides the Farmers that hold the demeans of this Manno^{r}, there are Four Tenants (as we suppose) that hold Lands or Tenements by Indenture of Lease (vizt) The foresaid Lawrett Pauncefoote, one parcell of Land called Waldens. Likewise Thomas Hallins, Henry Turley and the Millard of Payfords Mills, but for the particulars of their Tenements and for and vnder what rents Condicons and terme of Yeares they hold the same, we referre ourselves to their severall Leases which were ready to be shewed forth vnto the Steward att this Court.

To the 12th Article we present that the Lord of this Manno^{r} is owner of the said Mills called Payfords Mills, but the same to our knowledge are not Custome Mills, neither are the Tenants of this Manno^{r} tyed to Grind at the said Mills. Yet for the most part they doe Grind there soe long as they are well used.

To the 13th Article, we present that the Lord of this Manno^r as we thinke hath Fishings in the River called Leadon, on that side of the said River next to the said Manno^r: But what Royalltyes he hath we know not.

To the 14th Article, we present that the Lord of this Manno^r hath never to our knowledge had and received any Wayves, Estroyes, Fellons goods, Treasure found within this Manno^r or such like Profitts. They doe belong to the Kings Matie as wee suppose and they are usually answered vnto and collected by the Baylief of the Hundred of Botloe for the time being.

To the 15th Article. We present that wee know not of any Pensions, Porcons, Payments, Fees, Rents or Annuities payable out of any other Manno^r to the Lord of this Manno^r saveing one yearly rent of Two Shillings payable out of the Land of John Hyett, Gent. being now as we suppose the Land Samuel Dobyns Gent. lying in Compton within the Parish of Newent aforesaid.

To the 16th Article, we present that the Heire of the said Sr Edward Winto^r is Patron and hath an Estate in Fee of the Rectory or Parsonage of Pauntley aforesaid.

To the 17th Article, wee present that as wee take it John Poole the elder Gent, is the Lords Bayliefe for that he hath demanded and received the last Rents due from the Tenants: But what Fee he hath, or whether he hath a Patent for Life, or is at the Lords Will we know not. John Poole the Younger, Gent. is and for many yeares past hath beene Steward of the Courts holden for this Manno^r: But what is his Fee, or whether he holdeth by Patent or att Will, we know not. Roger Burch is Woodward, but other Officers know we none belonging to the Lord of this Manno^r.

To the 18th Article wee present that this Manno^r Lyeth within the Hundred of Botloe in the County of Glouc^r and the Tenants of this Manno^r are usually called to do their Services, to Muster, and to shew their Armour and Weapons to Deane, Newnham, Huntley and other places att the

pleasure and appointment of the Captaine and Justices: and are appointed to Watch and Ward att a Beacon vpon Yartleton Hill.

To the 19th Article wee present that these Market Townes lye nearest to this Manno^r^ (vizt) Newent about Two Miles distant Glouc^r^ about Seaven Miles distant Rosse about Six Miles distant, Micheldean about Six Miles distant and Ledbury about Five Miles distant.

To the 20th Article wee present that as we take it the Lords Surveyor hath in his perambulacon of this Manno^r^ beene duely shewed all the Circuitt, Butts, Bounds and Limitts of the same. And vpon what and whose Manno^rs^, Lordships, Lands and Parishes it bordereth on all parts: And as we thinke, and as our Fore Fathers and Predecessors have shewne vs, and said, The Parishioners of Newent aforesaid doe in their Processions perambulate or intrude further vpon the Comon of Pauntley then they ought to doe.

JOHN POOLE, *Se^lum^ ibem.*
ELIAS ALLEN, *Superviso^r^.*

Copia vera, ex^d^ P me
JOHEM PUCKMORE.

THE ARMS OF THE SEE OF GLOUCESTER.

By The Right Rev. The LORD BISHOP OF GLOUCESTER.

There is a curious uncertainty about the ancient arms of this see, and it is very difficult to ascertain accurately their history. Inquiry has been made in various quarters, but without altogether satisfactory results; and the present paper is written in the hope of stimulating research, and of obtaining further information on the subject.

I.

According to Woodward,[1] the arms of the English sees were originally "assumptions." "In this respect," he says, "the custom in this country differed not from the custom on the continent, and the arms borne were assumptions only at the will and pleasure of the occupant of the see. . . . The post-Reformation Sees of Bristol 1542, Gloucester 1541, Chester 1542, Oxford 1542, and Peterborough 1541, had not, so far as I can discover, any formal grant of arms at their foundation; and neither in their case nor in the arms of the elder sees do I find that there were formal confirmations by the authority of the College of Arms. In the case of the older sees, a long continuance in their use may have given a prescriptive authority to the arms usually employed, but this prescriptive right must clearly have been subject to the will and pleasure of the occupant of the see for the time being. In many cases, perhaps in most, he went on bearing what his predecessors had used; but the many variations of arms which meet us in the case of several of our most important

[1] Woodward's *Ecclesiastical Heraldry*, p. 490.

bishoprics, *e.g.* Exeter, Winchester, York, Wells, etc., show that the bishops retained and exercised the right of mutation."

There is, then, nothing unusual in the fact that no formal grant of arms was made to the see of Gloucester at its foundation, nor in the fact that the arms were changed at a later date, though I doubt whether in the case of other sees so late as the seventeenth century. But the chief difficulty in the case of Gloucester is to ascertain with certainty what were the arms actually borne by many of the bishops. Although there is no mention of armorial bearings in the charter founding the see, yet the right to use a seal is expressly given in it, and, since it was already in the sixteenth century the usual custom for armorial bearings to be introduced into episcopal seals,[1] we should naturally look to these for evidence of the arms actually borne by the occupants of the see. But unfortunately there are but few seals of bishops of Gloucester for nearly two centuries after the foundation of the see known to be in existence. Search has been made in the places where they might naturally be looked for, such as the diocesan registry, the records of the cathedral and of the Gloucester Corporation, the British Museum, the Record Office, the Lambeth Library, the office of the Ecclesiastical Commission, and elsewhere, but with singularly little result. We are forced, therefore, to rely to a great extent on secondary evidence, such as representations on monuments and tombstones, pictures and engravings, and statements in books; this evidence, as will presently be shown, is often conflicting and puzzling, and cannot implicitly be relied on.

From the very first there seems to have been some uncertainty as to the arms to be adopted for the new see; for in a manuscript book of arms in the College of Arms, said to have been compiled between 1540 and 1550, and therefore in the time of the first bishop, John Wakeman (1541–1550), the arms of the abbey of Gloucester (recently suppressed) are

[1] See Sir W. St. John Hope's paper on "Seals of English Bishops," *Archæologia*, 2nd Series, xi., p. 271.

given as "Azure two keys in saltire wards upwards or;" and the same arms are given for the see as well as another coat, "Or three chevronels gules, the centre one charged with a mitre of the field."[1]

It is very curious that almost at the time of its foundation there should thus be given two quite distinct coats for the see; but the explanation is probably to be found in the supposition that two suggestions were made for the bishop to choose between: one for a coat founded on the arms of the abbey of Gloucester now raised to the rank of the cathedral church of the new diocese, and the other for a coat founded on that originally belonging to the de Clares, Earls of Gloucester, and said to have been granted by Gilbert de Clare to the city from which the see took its name. The blazon of this coat was "Or three chevronels gules;" and though at some later date before the sixteenth century the city of Gloucester had added to this coat the ten torteaux (3, 3, 3, 1) of the see of Worcester, in which diocese it was then comprised, it was obviously natural that these should be omitted if the arms were to be taken for the new see, as it was also not unnatural that (even though, as I am told, the heraldry be faulty) the central chevronel should be charged with a mitre to render the arms appropriate to the bishopric, exactly as in the case of the see of Carlisle the cross is charged with a mitre. It would appear also that in the case of Bristol, a see founded in the next year (1542), there was at first some idea of adopting for the see the arms of the city from which it took its title, for it is stated by Bedford[2] that "in Wriothesley's MSS. at Clumber the arms of Bishop Bushe of Bristol are impaled by the coat of the city of Bristol;" though apart from this I am not aware of any evidence for the use in regard to this see of any coat but the usual one of the three ducal coronets in pale, or.

To return now to the former of the two coats suggested

[1] Information supplied from the College of Arms.

[2] Bedford's *Blazon of Episcopacy*, p. 27.

for Gloucester: I have spoken of this as *founded* on the arms of the abbey, and I have done so deliberately; for though the manuscript referred to gives the arms of both abbey and See as identical, "Azure two keys in saltire wards upwards or," and the very same coat is given for the abbey in *Prince Arthur*, a well-known volume compiled by Sir Thomas Wriothesley, Garter King-of-Arms, *circa* 1540,[1] there is really no room for doubt that in the arms of the abbey there was also a sword in pale, oppressed by the two keys in saltire. For this the evidence is overwhelming, though the representations are not quite consistent, the pommel of the sword being sometimes in chief and sometimes in base, and the wards of the keys varying in similar fashion. Whatever may have been the case in earlier days, the best possible evidence of the correct arms of the later days of the abbey is that furnished by its seal, of which a fine impression is attached to the formal acceptance of the Royal Supremacy by the abbot and monks shortly before the surrender and dissolution of the monastery.[2] The same coat, always with the sword, appears frequently in the cathedral, *e.g.* on two brackets in the choir, *c.* 1350, in the Boteler Chapel, c. 1445, on the clock bell of the cathedral, fifteenth century (?), on a shield from the west front, *c.* 1421, now in the eastern chapel of the crypt, on the tomb of Osric erected by Abbot Malvern, *c.* 1530, and on an ancient tile in Malvern's own chantry of the same date. Nor are such representations confined to the days when the abbey was in existence. They appear frequently also in later days after the church was raised to the rank of a cathedral. Thus they are found on the case of the organ, *c.* 1670, on the bishop's throne in the nave (*temp.* Queen Anne), on the north end of the organ screen, *c.* 1820, and on the west front of the nave (nineteenth century), where they are copied from the older shield now in the crypt.

[1] Information supplied from the College of Arms.

[2] This is now in the Record Office. An illustration of the seal is given in the *Victoria County History, Gloucestershire*, vol. ii., p. 66.

They are also found on a series of modern tiles (*c.* 1850) in the chapter-house. It is probably largely owing to the appearance of these arms in the cathedral church of the diocese that the statement made in Woodward's *Ecclesiastical Heraldry*, and repeated elsewhere, that the ancient arms of the abbey were used by some bishops in the seventeenth century has obtained such wide currency, with the inference that the sword in pale ought now to be restored to the episcopal shield. But statement and inference are alike unwarrantable; for, as will presently be shown, no satisfactory evidence is forthcoming that any bishop of Gloucester ever adopted the coat with the sword, and the shields in the cathedral church may really be dismissed from consideration as not being the shields of the bishops of the see. Indeed, in almost every case it can be demonstrated that at the date when the arms were placed in the cathedral the then occupant of the see was actually employing the coat without the sword.

II.

We have now to trace as far as possible which of the two coats of arms suggested at the foundation of the bishopric (with or without variations) was actually assumed by the bishops; and it is very disappointing to find how very little evidence is forthcoming in early days.

Of John Wakeman, the first bishop (1541–1550), I have been unable to find any seal. And of his successor, John Hooper (1550–1554), only one is known to me. This is in the Record Office, and is attached to his surrender of the bishopric in 1551, preparatory to the union of Gloucester with Worcester, made in the following year.[1] Unfortunately, however, this throws no light upon the question now before us, as it is merely a signet with the head of a man in profile,

[1] Inquiry has naturally been made in the Worcester Registry, but with no result.

and contains no armorial bearings. Of James Brooks (1554–1558), who succeeded Hooper, a single seal is also known to me; but this too is useless for our purpose, for it only gives his personal arms, and a representation of the Holy Trinity.

We now come to the Elizabethan bishops, Richard Cheyney (1562–1579), John Bullingham (1581–1598), and Godfrey Goldsborough (1598–1604). Of none of these have I succeeded in finding any seal. I learn, however, that in the College of Arms there is a book of arms in trick, "the date of which it is difficult to fix exactly, but which is certainly subsequent to 1562,"[1] and that in this these arms: "Sable a sword in pale, hilt in chief surmounted by two keys in saltire, wards downwards or," are attributed to "the bishops of Gloucester's see and the abbey of St. Peter;" but I am told that this book is not regarded at the College as so good an authority as the two older books in the College of Arms already referred to.[2] It is certainly wrong as to the tincture of the shield; and all the evidence available shows that, according to the later shield of the abbey, the wards of the keys were in chief and the pommel of the sword in base. I do not, therefore, think that any reliance can properly be placed upon this book, especially as such evidence as we have points to the use of the alternative coat exemplified in the manuscript of 1540–1550, "Or three chevronels gules, the centre one charged with a mitre of the field." These arms actually appear on the monument of Bishop Goldsborough, the last of the three Elizabethan bishops, in the Lady Chapel of the cathedral, and were therefore presumably actually borne by him. They also appear in a stained glass window in the palace, impaling the arms of Goldsborough's successor, Thomas Ravis (1604–1607), and were therefore presumably assumed by him also. Of the arms employed by the next bishop, Henry Parry (1607–1610), I can find no evidence whatever. This brings us to Giles Tomson (1611–12),

[1] Information supplied from the College of Arms. [2] *Ibid.*

Dean of Windsor, a post which he was allowed to hold *in commendam* with the see. He only lived for a year after his consecration, and never resided in Gloucester. He was buried at Windsor, and his tomb in St. George's Chapel is a remarkable one, with his effigy and a coat of arms. He was a man of humble extraction, and had no armorial bearings of his own.[1] But upon his tomb is blazoned the following coat: "Two keys in saltire wards in chief (dexter) impaling three chevronels (sinister)." What is to be made of this? The two keys in saltire on the dexter side can only be intended to represent the arms of the see. But the three chevronels on the sinister side, where the bishop's family arms—if he had possessed any—would have appeared, are puzzling. Bedford takes them as the old arms of the see impaled by the modern ones. But it should be noticed that the distinguishing feature of these, the mitre on the central chevronel, is wanting; and is there any other example of such an impaling of two distinct coats to represent a single see? Papworth[2] takes them as the arms of the city of Gloucester; and it would not be unnatural that Tomson should have impaled these with the arms of his see, as he had none of his own. But, again, there are difficulties in the way of this theory which Papworth does not mention; for in 1538, just before the foundation of the see, the city abandoned the use of its older arms, and an entirely new coat was granted to it by Sir Christopher Barker, Garter King-of-Arms. But when this new coat (the blazon of which is very lengthy and need not be given here) was granted, it was expressly stated that the arms previously used by the city were "Or three chevronels gules between ten torteaux, three, three, three, and one."[3] The new coat was employed by the city during the remainder of the sixteenth and for the first half of the

[1] Bedford's *Blazon of Episcopacy*, p. 56.

[2] *An Ordinary of Arms*, p. 550.

[3] Information supplied from the College of Arms.

seventeenth century.[1] Not till 1652 was another grant made by Sir E. Byshe, Garter Principal King-at-Arms, whereby the city reverted to its older coat, the corporation having resolved in 1647 that "the new city arms shall be delivered up to Garter King of Arms, and the old arms of the city taken forth to be henceforth borne, etc."[2] As this reversion to the ancient coat of arms was only formally made in 1652, it certainly seems strange that Bishop Tomson should have adopted it in 1611–12, though the absence of the ten torteaux can hardly be regarded as a serious difficulty; as if he went back to the original coat, that of the de Clares, he might well have ignored the subsequent feature borrowed by the city from the arms of the see of Worcester, with which Gloucester had no longer any connection. Moreover, there is some evidence for the use of the ancient arms (both with and without the torteaux) by the city during the period in question (*i.e.* between 1538 and 1652). In 1630 died Alderman John Jones, who was mayor of Gloucester at the time of Gunpowder Plot, and was also registrar to *eight* bishops of Gloucester, viz. to all from Bullingham, the first of the Elizabethan bishops, down to Goodman, the last before the Commonwealth. On his monument against the west wall of the nave of the cathedral stands his effigy, and in his right hand is represented a document to which is attached a red seal, containing what is evidently meant for the arms of the see, viz. three chevronels, the centre one charged with a mitre;[3] and on either side at the top of the monument are

[1] A representation of the Elizabethan seal of the Corporation (1564) on which these arms are emblazoned is given in Mr. Hyett's *Gloucester*, p. 182. They are also found in the cathedral (with a slight variation) on the monument of Thomas Machen, three times Mayor of Gloucester, who died in 1614.

[2] *Trans. B. and G. Arch. Soc.*, vol. xxx., p. 110.

[3] The mitre has generally been overlooked in descriptions of the monument; but I have satisfied myself by repeated inspection that it is there, though it is impossible to see it except with a very strong light.

two more shields, that on the right blazoned with the still older coat of the de Clares, afterwards given to the city, "Or three chevronels gules," and that on the left bearing the arms now used by the city, "Or three chevronels gules with ten torteaux, three, three, three, one." How to explain the appearance of these coats I do not know; but as the episcopal coat is given below, it is probable that these two upper ones are intended to represent the civic arms, and if so, their appearance in 1630 seems to make Papworth's view that the chevronels on the monument of Giles Tomson represent the arms of the city less unlikely than might appear at first sight. Anyhow, the two keys in saltire on this monument must be intended for the arms of the see. They can be nothing else; and it is curious that a bishop who never resided in Gloucester, and who only held the see for one year, should have been, so far as has yet been ascertained, the first bishop to assume them. The next bishop, however, Miles Smith (1612–1624), if the evidence can be relied on, seems to have reverted to the older arms of the see, *i.e.* the three chevronels with the mitre, for, although almost obliterated, traces of this, which are still recognisable, remain on his tombstone in the Lady Chapel of the cathedral.

So far we have had to be content with secondary evidence, and this is always liable to be upset by fresh discoveries; but now at last we come to the direct evidence which has hitherto been wanting, and which is absolutely convincing, for of the seal of Godfrey Goodman (1625–1640) I have found two impressions. One is in the Record Office attached to his renunciation of the see of Hereford (to which he had been appointed) in 1633, the other is in my own possession; and in both of these the arms of the see, which impale his own, are the two keys in saltire wards in chief. This is conclusive as to the arms which he himself assumed; and yet it is remarkable that it was during his tenure of the see that the monument of John Jones, his registrar, was erected, and that it should give, as we have just seen, a representation of the

older coat. It should also be mentioned that among the Harleian MSS. in the British Museum is a book of arms (Harl. 1441) which gives, though inaccurately in details, what is evidently intended as the three chevronels, the centre one charged with a mitre, as the arms of the bishops of Gloucester. According to the Catalogue, this book gives the arms of the English bishops *after* the Restoration. This, however, is not universally true. In many instances, including Gloucester, the sinister coats, where the personal arms of the bishop should be, are left blank, so there is nothing to show the date. In some, they are filled in with the arms of bishops after the Restoration ; but in a majority the arms are demonstrably those of bishops before the Commonwealth, *e.g.* Laud's are given for Canterbury, and Coke's (*d.* 1646) for Hereford. The book then, though finished at a later date, was obviously begun before the Commonwealth, and probably belongs to Goodman's time; but in any case it cannot be regarded as of much value as an authority. I have, however, thought it well to refer to it here, because I am anxious to collect *all* the evidence, whether its value be great or small, on the subject of this inquiry.

III.

After the Restoration the first bishop was William Nicholson (1661–1672), who was succeeded by John Pricket (1672–1681). Of neither of these have I succeeded in finding any seal. But we have their monuments. Of Nicholson there are two in the cathedral. That of Pricket is in Harefield Church, Middlesex; and on each of them we have the two keys in saltire, impaling their family arms.[1]

Robert Frampton, the Nonjuror (1681–1690), demands

[1] There is a slight variation on one of Nicholson's monuments from what is customary, as while the dexter key is blazoned *or*, the sinister one is *argent*. In the other the tinctures are correct. In Sparrow's *Collection of Articles, Injunctions, etc.* (3rd impr. 1675) the two keys alone are given.

special attention. After his ejection from the See he was allowed to retire to the vicarage of Standish, which he had held since 1685; and on a sundial on the wall of the parsonage, believed to have been placed there by him, is a shield emblazoned with two keys in saltire wards in chief oppressing a sword in pale pommel in base. This is sometimes adduced as evidence that as bishop he either inherited or assumed the arms of the abbey of St. Peter, Gloucester; and I have seen it stated that it was his successor, Fowler, who abandoned the sword in the arms of the see. This, however, is not really the case. Not only is it contradicted by the evidence of Frampton's own tombstone in Standish church, on which are the keys alone, blazoned without the sword, impaling his own arms; but what is far more important, I have discovered an impression of his seal in the custody of the Ecclesiastical Commissioners, and this gives the keys alone without the sword, exactly as the coat is represented on his tombstone. Why the sword should have appeared on his sundial it is hard to say. But it must be remembered that before his consecration as bishop, Frampton had been dean of Gloucester. He would, therefore, already be familiar with the arms represented in the cathedral church, in which, as we have seen, the sword always appears. It may, therefore, have been a bit of antiquarianism on his part, as it is in the cathedral. But whatever may be the explanation, the evidence of his own episcopal seal (confirming the evidence of his tombstone) is conclusive as to his own use, and proves decisively that as bishop he thought fit to assume the same arms as some of his predecessors had done, and did not restore the sword to his shield.

Of Edward Fowler (1691–1714), Frampton's successor, we have again the evidence of his seal, of which the Ecclesiastical Commissioners have two impressions attached to documents of 1697 and 1709. The seal is the same in each case, viz. the two keys in saltire impaling his family arms. The same is given in the corner of his portrait by Kneller (dated 1714)

in the palace ;[1] but remarkably enough on his monument in St. Mary's Church, Hendon, erected in the year of his death, the arms (impaling his own) are blazoned as the three chevronels, the central one charged with a mitre, and the very same coat appears on Smith's engraving of Kneller's portrait, which is dated 1717. These facts last mentioned are specially worth noting, as showing how unsatisfactory what I have called secondary evidence is, and how nothing but the seal actually employed by the bishop is conclusive.

Fowler's monument and Smith's engraving supply us with the last appearances of the older coat that I have been able to discover ; and I think that there can be no doubt that from this time onwards every bishop of Gloucester has been content to assume the arms of his predecessor, viz. "Azure two keys in saltire wards in chief or." But I can claim no direct evidence in the case of Richard Willis (1715–1721) ; who succeeded Fowler, or of Elias Sydall (1731–1733) ; for I have been unable to find any seal of either of these bishops. Of all the later bishops I have impressions of the seals, viz. Joseph Wilcocks (1721–1731), Martin Benson (1735–1752), James Johnson (1752–1759), William Warburton (1760–1779), James Yorke (1779–1781), Samuel Hallifax (1781–1789), Richard Beadon (1789–1802), George Huntingford (1802–1815), Henry Ryder (1815–1824), Christopher Bethell (1824–1830), James Henry Monk (1830–1856), and his successors who were (as he was from 1836) bishops of Gloucester and Bristol. There must be seals of both Willis and Sydall still somewhere in existence, though I have been unable to discover them. If, therefore, anyone who should read this paper can give me information on these cases, or indeed on any of the earlier ones, in which no direct evidence is forthcoming, I shall be most grateful.

It only remains to add in conclusion that when the sees

[1] It may be mentioned here that in Atkyns' *Gloucestershire*, published in 1712, *i.e.* in Fowler's time, the same shield is given for the arms of the bishopric.

of Gloucester and Bristol were united by an Order in Council, a Royal Warrant was issued (October 31st, 1836), whereby arms were assigned to the united Sees by this description: "The ancient arms of the see of Gloucester impaling those of the see of Bristol," with a proviso that these arms should be first exemplified and recorded in the College of Arms. The exemplification in pursuance of the Royal Warrant bears date November 8th, 1836, wherein the blazon of the arms is this: "Per pale azure and sable. On the dexter two keys in saltire wards upwards, and on the sinister three ducal coronets in pale or."[1] When the sees were again separated in 1897, no formal steps were taken with regard to the arms, and each bishop naturally reverted to the arms of his predecessors in his own see.

[1] In spite of this formal assignment of arms to the united sees, in the arms of the bishopric of Gloucester and Bristol carved on a mantelpiece in Brookthorpe vicarage the sword is actually introduced; and possibly in years to come this may be appealed to as evidence of its being correct!

SOME EARLY ARTISTS OF GLOUCESTER.

By ST. CLAIR BADDELEY.

I.

When lecturing upon a building, it is needful, as a rule, to give an outline of the salient historical features of the structure; after which follow more special points of detail and style: the colour, the proportions, the radiant glass, the beautiful traceries, the heraldic shields, and the monuments of the generations of those who lie buried. If you will permit me, I will try and observe the same scheme with the rather more complicated subject, belonging to mediæval Gloucester, with which I am to deal to-day.

For, in order to talk to you about certain gifted and once quite famous citizens of Gloucester, I find it is needful to bring back (if possible) something of the atmosphere in which those men lived, moved, and had their being; and so to restore the historical background in front of which they came to carry out their very notable achievements.

This demands, first of all, a practical, working description from historical data, of the progress and condition of this builded city, its growing significance, from the tenth to the thirteenth and fourteenth centuries (872–1350). With your patience I will try to do this.

As the position, and therefore the defences of Gloucester, after Alfred the Great, or the year 900 A.D., assumed a more important political significance throughout these four cent ries, and they were at all times built of local materials by our Cotswold masons, I must deal first with these. And thus we shall see that four centuries of more and more

active masons' craft went to the making of certain great local masters.

There is good reason for ascribing the actual (*i.e.* not the legendary) resurrection of Gloucester[1] from its ruins to Æthelfleda and her husband, Æthelred, under the direct inspiration of her father, King Alfred, about the year 890 and onwards. It must be borne in mind, however, that Æthelred was supreme Viceroy to Alfred, not merely of the limited ancient West Saxon province of Wiccia, but of all Mercia, including London. In the chronicle made by Alfred's own son, Æthelwerd, there is a noteworthy distinction in the terms he has used to describe Gloucester in the early part of Alfred's reign (879) (when these terms are only "urbs" and "oppidum"), and at the decease of Æthelred, when (910) the place of his death and burial is called "in arce (dictæ) Glevucestrie:" in the stronghold or citadel of Gloucester.[2] The same term is used later for the burial there of Æthelfleda, his famous wife, who fortified several other towns. The advancing change is manifest. Money began to be coined there, though there is but one Alfred coin struck at a mint at Gloucester.

The significance of this is considerable, for it practically

[1] The document in Dugdale, entitled "Memoriale Ecclesiæ Cathedralis Glocestriæ Compendiarum," is plainly but a late sixteenth-century glorification of the new cathedral and of Gloucester. Its value is exceedingly small, as Freeman rightly perceived. Its exaggerated statements about early Saxon Gloucester under Wulphere are "Arabian" in style. But nevertheless its baseless statements have been taken over-seriously here and there. The "Historia" of the Abbey of St. Peter makes no such florid pretensions, nor does the *Anglo-Saxon Chronicle*, nor (be it added) does Æthelwerd nor Beda. Even the so-called Foundation Charter is wrongly dated by ten years, 671 instead of 681. Even the "Confirmatio" (on p. 74, vol. i., of *Hist. et Cart.*) dating 872 is given as signed by Archbishop Ceolnoth, who died in 870, and Borthred, whose last authentic signature is in 869. Wulphere certainly was no beautifier of anything.

[2] It is believed to have at any rate been the equivalent of "Castrum" at this period. Later it was that of a fortified tower.

means that these royal folk actually closed their eyes in the now merely traditional "Aula-Regis," or Saxon king's hall, their local home in the ancient royal manor of King's Barton, and that home was, therefore, like Bath, a favoured kingly residence. That manor, besides including all the meadows to Westbridge, extended northwards; and, of course, it included Kingsholm, which was merely its chief pasture-meadow by the Severn. The original hall or king's house (as an early manor house would do) probably stood much closer to Gloucester and to St. Peter's, and probably very near the present Probate Registry by Hare Lane, that is: just outside the original north-gate of the city. This does not preclude the possibility of more than one site and Aula-Regis having risen in the Saxon manor. This Mercian royal house may well have been a main cause of the peculiar extension of your town in that direction, which begat the former second north-gate. No such thing occurred to south-gate nor to east-gate. In 1331 there still stood in this Hare Lane, a lane taking its name from "the War Host" (that is, of the Danes), a spot then known as the Castle of Croydone (*Cal. Corp.* No. 870). An earlier deed, A.D. 1117, actually mentions the locality as the "King's Hall, in the King's Barton," which Abbot Serlo had pledged to one Wybert, Bit by bit the various water-meadows, and finally the site of the early Saxon hall itself, became the possession either of St. Peter's or of St. Oswald's The long rivalry between the two monasteries was not unnatural. Thus (and thus only, I think) we ought to picture to ourselves somewhat as follows: an intelligible early group of buildings representing the most prominent feature of the town of Gloucester in the last years of the ninth century, say A.D. 900, the triumphant close of Alfred the Great: (1) Saxon St. Peter's, (2) the King's Hall and Barton, and (3) the Royal Saxon Priory of St. Oswald, called in early and genuine deeds a free royal chapel, then quite new.

That mediæval Gloucester should have shrunk up to this

mere north side of the ancient little "Colonia" of Glevum is certainly strange, but it is unmistakably clear; and this is also why Hare Lane (originally *Here Lane, i.e. Here*=the War Host or spoilers, pl. *Heras*) is there, and not on the south flank of the town or elsewhere; for Æthelwerd (Æthelfleda's brother) tells us, in his account of the temporary truce with the War Host of the Danes (A.D. 877), that these went (*i.e.* after Exeter) to Gloucester, and put up their huts in that town ("atigia figunt, in oppido dicto"). That may mean that during the truce they were invited by their favoured creature, Ceolwulf, to his "Aula." For the Danes allowed this Mercian thane to divide Mercia with them, he taking the south-western portion of it, with Gloucester and its Church of St. Peter, the chief of the Apostles, whose authority most of the Danes had now become ready to acknowledge. For in the following months (after temporarily breaking the pact, however, and destroying[1] St. Peter's Church (*Cf. Chron. of Hyde Abbey*) and being defeated heavily by Alfred at Ethandun, and then besieged at their stronghold at Chippenham), their chief or king, Gothrum[2], actually accepted baptism, with his important men, and took the name of Athelstan (*Cf.* Gaimar), and then retired peaceably to Cirencester. There they put up their huts and remained for nearly a year before proceeding to Middlesex; those who refused baptism departing by river to the sea. They at least did not break the pact this time. It is after this remarkable event but a few years that Æthelwerd verbally describes Gloucester no longer as "oppidum" but as an "arx," or a military stronghold, and the reason for this is clearly manifested. The very marked improvement in its condition arose

[1] The Book of Hyde tells us that the Danes actually destroyed St. Peter's Church. Æthelwerd tells us that they came to Gloucester, and then broke pact and went down to Chippenham. But the two facts are perfectly reconcilable.

[2] Gaimar calls him Gormund. This recalls the Cirencester traditional "Grismond."

probably out of the devout as well as political desire of King Alfred to transfer the remains of the heroic St. Oswald, his Northumbrian ancestor, to Gloucester, from the ruins of Bardeney Abbey. In this famous historic transaction we may well recognise yet another hand, that, namely, of Bishop Werferth of Worcester, a devout and loyal friend, who survived to see this as well as other far-reaching measures carried through, and a second royal monastery built at Gloucester as a memorial over them. The latter building arose just beyond (or 200 yards) the north-west angle of Romano-British Gloucester, and on a choice portion of the king's own demesne land (afterwards known to us as King's Barton Manor), the same estate on which we have just recorded documentary evidence (of A.D. 1117) that the king's hall as principal or manor house certainly then stood.

Now, it is of interest to remark here, had actual solid Roman city walls existed, or had such survived at Gloucester, neither the king's hall nor the king's new monastery would surely have been built beyond and outside them; but these walls would have formed the most redoubtable natural security to them, as has happened in so many other mediæval towns where such extremely durable walls have existed. Again, had such Roman walls stood, *de facto* the Monastery of St. Peter itself could not have been built where it was; for to have cut through masonry seven to ten feet thick would have been quite impracticable.

By what means, then, are we to explain the peculiar royal selection of locality? For, surely it also involves the practical reason of the still earlier selection of the site of St. Peter's Abbey itself! The most natural explanation is that what was still the most defensible remaining portion of ancient Glevum, walled or not walled, with vantage of the Severn and valuable pasture-land, lay on the north (or Worcester) side of it, whence, too, relief could the more readily come to it in need from Hereford. It at the same time gives the real reason why the corresponding, or opposite, south-

western portion of the city, was for long after known as "Bareland."

This brings us for a minute or two to the problem of the still more ancient, or Roman, defences of Gloucester; and to state here as far as is practicable, what trustworthy ocular evidence exists or has existed down to recent times, as to what these defences were. It may also, perhaps, lead us to fresh points of view.

Fortunately it may be just possible to do this, owing to the carting away in 1818–19 of a remaining angle of a very considerable earthwork, known then variously as "Old Castle" (through its having antedated the Norman stronghold close by) and "Barbican" (as probably having carried a Norman watch-tower, either of wood or of stone). The position of it is to be identified both on Kips' Plan of Gloucester and on Pinnell's (1780); and it is needful to bear in mind that all defensive works of other days have at some time passed under the name of "Castle" or "The Castles." It is well seen in Mr. H. W. Bruton's South-West View of the City (*c.* 1740–50). Moreover, in 1643 Corbet carefully described it as "a firm and lofty work."

Without suspecting what it really might be, the industrious Fosbroke[1] launches into a rather vague disquisition upon Celtic, Roman, and Saxon hillocks and watch-towers. But its position clearly tells us that it was of even more importance than these: it was nothing less than the surviving south-western angle of the oblong Roman vallum (or ditch and mound defences) of Glevum, which had been saved by its conversion to mediæval uses; but it was neither Alfred's work, nor was it King William's. Fosbroke's correspondent, Mr. Counsel, gave him fair proof of this, had he but fully realised the fact! Mr. Counsel thus wrote to him: "It is now being removed. The workmen have found several Roman coins; one of them, a Valens (A.D. 364), is in my possession." It is true Fosbroke does conjecture the

[1] *City of Gloucester.*

Westgate Bridge, Gloucester (c. 1780–85). From an original drawing by Joseph Farington, in the possession of W. St. Clair Baddeley (see p. 156). Reproduction by Sydney A. Pitcher.

The Westgate and Bridge, Gloucester. From a sketch by J. Carter, 1796 (*see p.* 156).
Reproduction by Sydney A. Pitcher.

mound to have been Roman; but he thought it merely an odd thrown-up hillock-fort of theirs, when indeed it was the south-western angle of the only surrounding fortification, I venture to hold, that was ever made at Glevum by its Romano-British occupiers—at any rate, of which we have any historic evidence at all.

At this moment it is pertinent to observe that neither Fosbroke (a hundred years ago) nor Atkins (two hundred and more years ago) nor Æthelwerd (a thousand years back) records any actual evidence, or hands on even any tradition of any real Roman walls at Gloucester. Neither were any found when this mound-angle was cleared away in 1818; nor were any traces of such discoverable when lately (1909) the Shire Hall extension permitted us to closely (and repeatedly) examine excavations both deep and wide and long, on their hitherto presumed direct line, south to north. The idea that Romano-British Glevum ever had anything more substantial than the powerful fosse and vallum of most Roman settlements is a comparatively modern conjecture, partly relied upon in recent days owing to an accidental misreading of the character of certain remains under Eastgate, and those still to be seen beneath the Public Library. These remains are not Romano-British; they are entirely mediæval, though without doubt (I think) occupying the convenient line of the Romano-British fosse, or ditch, which latter gave the mediæval name of Goose Ditch to the Eastgate line of the town, as did a similar one at Cirencester. The very notable absence of real Romano-British walls perhaps indicates (as almost all such walls were built, not as my good friend Mr. John Bellows thought, by Vespasian and Titus, but quite late in the Empire) that, having at its rear the Severn, Glevum, the small Romano-British town, had no very actual need of such elaborate defences as thick walls. This is what we might quite reasonably expect. Nothing threatened her, and she was at no time the provincial headquarters. For, surrounded by peaceful villa-lands and their farms, raising quantities of

sheep and cereals, and, above all, well protected beyond the river by the permanent legion at Carleon and the various stations, up the great road to Chester, and having the strong provincial seat of government at Corinium,[1] the need for powerful defences did not, we think, arise for Gloucester until the days of the ruthless Norman-Welsh wars; and that is probably the reason why the Abbey Church of St. Peter became quite easily builded right over what would (had there been massive Roman walls) have been the line of most difficult obstructive walling, to where its west front now stands. Neither could the Saxon masons, nor their successors, have pierced such walls for making necessary ducts and drains.

If we may presume to carry the line, therefore, of the fosse and vallum, using the before-mentioned flat plan of Gloucester, from the "Old Work" or "Barbican" on Pinnell's map, and draw it along Berkeley Street and College Street, it will strike the abbey near the south porch (as theoretically it has been already made in plans to do), as though a built wall actually exists there. In the extension-buildings to the Shire Hall referred to, the excavation went down to the depth of twenty-two feet beside Berkeley Street over a considerable area. But no trace whatever of Roman wall, nor site of such wall, was encountered. There was found only a considerable stretch of rammed earth and small-stone covering, like a rolled walk, but retaining in it a number of carbonised stumps of stout wooden stakes, of four and five inches in diameter. One group of these stakes amounted to twelve, covering an area of 3 ft. 6 in. by 2 ft. 9 in. All these were covered by later flagstones. There was no evidence of pottery to declare it Romano-British, but there it still lies, like a promenade path. Gloucester (we take it) had no built up walls, but a strong vallum of mounded earth and perhaps a stockade; and that is also a reason why no single local place-name designating ancient wall-work has come

[1] The still earlier cantonal town of the Dobuni.

down here to us in our multitudinous mediæval documents, in contrast to such survivals at other and larger Romano-British towns, such as Lincoln, York, and London, all which became walled after the days of the early Empire.

This matter being now clear, let us pass to the Norman period, when secular or non-ecclesiastical building operations commenced here with real vigour and design; and William FitzOsbern, Earl of Hereford, at the Conqueror's command, proceeded to raise a castle, together with defensive city walls, at any rate along the south, east, and north sides of this city. Civitas, not Villa, Gloucester is termed in Domesday Survey, 1086; probably by this term was intended "ancient city."[1] It was not yet a borough. As the Norman kings frequently visited, wore their crowns, held Witan Councils, and spent Christmas at Gloucester, it is obvious what new and weighty significance the place now bore (and was destined to bear) in their policy towards Wales (a policy born in the days of Edward the Confessor). Gloucester was to become one of the vitally important strategic centres of the kingdom, the southern base against the Welsh, even as Shrewsbury and Chester were the northern bases. These royal visits only became less frequent during the first twenty years of the twelfth century, by reason of the town and abbey twice falling victim to devastating fires. These events, under the political condition prevailing, only stimulated to greater efforts the quarrymen, the designing masons, the carpenters, and the whole subsidiary army of labour. In the later years of Henry I. (*c.* 1130), we find that king re-visiting Gloucester and giving money to complete the "turris," or great keep, of the now extended castle, which he had begun *c.* 1104 or before 1113. We have record also, in the last year of his reign, of the burial (A.D. 1134) in St. Peter's of the body of his long-captive brother, Robert, Duke of Normandy, and likewise record of the fact of the Constable of his Castle at

[1] *Cf.* Civita Castellana, Civita Vecchia, Civita Lavinia, where "*Civita*" has been continuously used to designate ancient importance.

Gloucester (*M. S.*, p. 8) becoming the Hereditary Constable of England; not, mind, Lord of the Honour of Gloucester (with possession of that earldom and its two castles of Cardiff and Bristol), but official constable of that royal honour or group of estates in the south-west. The former of these very important distinctions that the king had conferred upon his (natural) son Robert, to whose son, William, and so down to his De Clare descendants it followed in succession. Neither Milo Fitz-Walter, nor any of his De Bohun descendants, were ever Earls of Gloucester.

Let us now leave detail, and at once skip over the civil wars of Stephen and nearly fifty years of Gloucester history as a royal Norman full-blown city, with castle and town-walls, and several gates enclosing the oblong Romano-British town, and preserving no doubt the same main cross-lines of its ancient streets, both those toward the Severn and those south to north. In 1172, under Henry II., we come to a matter of abiding significance: the Welsh had now become horsemen, which they had not been in early Norman days, and they carried fire and sword ruthlessly to the very gates of Gloucester, and threatened to do there what they had done to Hereford in 1054–55. In consequence, the king came here, and held a great Council (May, 1175) in company with his son (Henry), with the Baron, William de Braose (whose family had lately been massacred at Abergavenny), and with the friendly Welsh magnate, Rhys-ap-Gryffyd. One immediate result of this Council was the construction of a castellated west-gate at the river-bridge. This fine structure lasted (with various repairs and alterations, but not rebuildings, as Farington's picture[1] shows) until it was taken down in the early nineteenth century. You can here see the Norman "tourelles" at the angles; while its eastern gateway (as another picture, by Carter, reveals) actually remained Norman. This additional Norman protection led immediately to the extension of the city residences and workshops westward

[1] *c.* 1780.

down Bridge Street, and created a very solid accession to the area of habitation. It also now caused the term of Foreign (*forinsecus*) to be applied to this district, as lying beyond the first arched bridge that crossed the "Little Severn" (as a small eastern arm of the river became called), that cut it off just beyond St. Nicholas Church.

Now it is just this piece of old Gloucester that should especially be significant for our purpose. For it is from this humbler and newer suburb that were to spring several of the remarkable men who made the city of their birth and its neighbourhood of artistic fame, and some at least of whose beautiful work is yet with us in another and greater place, to justify to England the pride which Gloucester ought ever to feel and realise at having been their "*alma mater.*" It was in that new quarter that the Abbey of St. Peter was possessed of most of the tenements in which lived the masons, glaziers, carpenters, and braziers of those days; and it was there that the great glass-works continued to survive down till the eighteenth century. The smiths had their forges elsewhere, in Smith Street,[1] a noisy but drier region.

II.

At this period of her history, with the fully-completed Norman fortifications, some rebuilt early parish churches, the new Abbey of Lanthony[2] just beyond the castle, and the almost equally rebuilt Norman Abbey of St. Peter and old St. Oswald's west of it, Gloucester presented quite a fine appearance; and the town had without doubt become a striking centre of local masonry and carpentry. Wood and stone and iron were all well worked here. With such churches and walls and gates as it possessed, there was continuous work to be done in the newest or pointed style, which had

[1] Long Smith Street and Broad Smith Street.

[2] 1136.

fully set in before the Westgate had stood many years over the river, at guard against the Welsh.

But though our kings still occasionally kept court in the castle, and John himself stayed there, there was only one thing in the stormy and cruel reign of King John to give any especial spur—rather, any exceptional stimulus—to the life of Gloucester, and this was his confirming to it the full privileges of a borough. But even this scarcely contributed anything to cause Gloucester in the approaching thirteenth century to become an exemplary English city in architectural style and a wonder of South-West England. Other towns, such as Oxford, Chester and Lincoln, had castles and one or two noble monastic structures apiece, and each of these towns had, in addition, a cathedral. This last advantage had always been lacking to Gloucester, and it was to remain lacking for three more centuries. But the little expected sometimes happens; and this threw into the lap of this Severn city the good fortune she had neither enjoyed nor looked for.

In 1216, on the death of John, Henry, his youthful son (who may have been then in residence at the castle, and was in the care of the great Earl of Pembroke, William Marshall),[1] came to the throne. As the crown of England had lately been lost with the royal treasure and the spoils of East Anglia, in crossing the Wash, a simple circlet of gold alone was procured from a goldsmith, and the youth was crowned king in the Abbey of St. Peter, where the nobles and prelates swore allegiance and made their homage. One account relates that the people wore crowns of flowers for days after it, though at the end of October (28th) these could hardly have been plentiful.

This important event made its mark very deeply upon the affectionate memory of this afterwards devout and architecture-loving king. For not only did he repeatedly revisit the city, and extend and embellish the castle, but we

[1] He lived at Goodrich Castle, near Ross.

find him the chief patron and founder of no less than four new monasteries here. In 1235 he and Eleanor caused St. Bartholomew's Priory Hospital between the bridges to arise, and gave St. Nicholas to it. Five years later we see Henry granting rich gifts to the new Dominican Priory; and Queen Eleanor enjoys, with her dower, certain of the local fish weirs. In 1245 he is patron to the new Carmelite Convent of White Friars, occupying with its fields the site of the modern cattle market; while but a few years earlier (1230) than all of these he added the Franciscan Convent of Grey Friars. So that, before the end of his long reign in 1272, Gloucester possessed in all no less than six monasteries and four hospitals; moreover, the Abbey of St. Peter, after a bad fire early in the reign, became entirely re-vaulted in solid stone as we see it now, and it was further enriched with a magnificent infirmary and an Early English Lady Chapel. All these beautiful buildings were painted with pictures or designs, and adorned with carven screens of stone and wooden choir stalls, and proud canopied tombs, and graceful chantry chapels. Nor was this the sole architectural activity of royalty in this county during the most mature moment of Early English architecture. The king's brother, Richard, Earl of Cornwall, and his wife, the queen's own sister (as devoted to bricks and mortar as was Henry himself), in 1246 laid out at enormous expense the great Cistercian Abbey of Hailes, near Winchcombe, wherein both of them now lie buried. In its design it was more closely related to the new work Henry was building at Westminster, with the distinguished assistance of certain Gloucestershire masons, than any other church in all Britain. Little wonder then that there arose a saying, "As sure as God is in Gloucester."

It was this magnificent building output, you will perceive, that must be held responsible for the education, accomplishment and eminence of the Gloucester men whom I now introduce to your notice (I believe) for the first time. And the first of these is John of Gloucester, King's Mason. He

appears as witness in 1249 to a grant of land between the bridges in our town, by the Prior of St. Bartholomew to one John of Eldersfield, and he is already described therein as the King's Mason, that is Master of the King's Works. We may be sure, therefore, that he had already risen to this superior grade in a trade, that was in those days hereditary, through meritorious achievements on the castle at Gloucester, on St. Bartholomew's Priory Hospital, and possibly on the aforesaid Abbey of Hayles[1] then building on the estate of the king's brother near Winchcombe. We obtain a glimpse of his labours in this city from a Liberate Roll of 1245 (August 3rd), in which the Sheriff of Gloucester is ordered to have repaired (by the King's Mason) the wall of the castle here, "towards the town forges," *i.e.* Smith Street, to place glass (*i.e. painted*) windows in the king's chapel, in that of the queen, and in her chamber, and other several drastic alterations. For instance, in 1247 (August 30th) two buttresses are to be built under the king's chamber at Gloucester Castle. In 1249 the leaden roof of the keep which had been cut, was to be repaired, and the bailey-wall on the south side to be crenellated; a new altar was to be placed in the chapel, together with a new bell, and the two (*draw-*) bridges of the castle are to be repaired. And in the same year the Sheriff is ordered not to distrain John the mason for certain wine (Close Roll, 1249–50) which he has bought of the king. This is of interest because probably it indicates

[1] The architect at Hailes is twice designated contemporaneously *Frater Johannes, Cementarius,* which should rather point to one belonging to a religious order, or at least confraternity. He is in no case designated as of any place. By some this omission will be held to signify Gloucester. He is not heard of again in connection with any other known buildings, which is curious, seeing how beautiful and masterly was his work at Hailes, and how important his royal patron. It is certain, however, that there was a Brother John of Waverley in 1236, probably a Cistercian, and in 1278 there was a Brother John of the Order of St. Thomas of Acre, a King's Mason at the Tower. John of Gloucester is always "*Magister,*" never "*Frater.*"

that John of Gloucester[1] had paid a tour of inspection to the French Cathedrals of Reims and Amiens, which were then completing, and the influence of which upon the new work then in progress at Westminster carried out by him has in our day been fully recognised.[2] As five years later (1255–56) the king returned to John five casks of wine in place of those the king took from him at Oxford,[3] we see that there prevailed over many years remarkably convivial amenities between the architect and his sovereign; moreover, he became then rewarded with ten librates of land at Blaisdon[4] (Co. Suffolk) for his good services to the king both at Gloucester, Woodstock and Westminster, and he became exempted from all tolls and dues. We may see his actual work at Westminster, for happily it survives in glory—that is to say, a good deal of it, though the great sacristy, which he built and roofed in 1256, has entirely vanished. Let us briefly notice the rest of the many personal honours done him. He is given two fur robes of good squirrel a year by the king's order, "such as is worn by Knights of the Household," and is exempted from being put on assizes, juries, etc. In 1256 the king further gives him at Northampton,[5] for his services, the house of Leo the Jew, and a place there belonging to Solomon (or Slomond) the Jew; and in the following spring he was made chief master-mason of all the king's castles this side of Trent and Humber. In 1257 we find him in Dorsetshire buying Purbeck marble for Westminster Abbey (Pipe Roll, 1257). Meanwhile our Corporation Records of Gloucester tell us that certain property

[1] He witnesses at Gloucester, both in 1249–50 and 1252–53, to grants of land (*Cf.* Corporation Records).

[2] *Cf.* Mr. Lethaby, *Westminster Abbey*, p. 161.

[3] The king in 1258 gave him a house at Oxford in the parish of St. Aldates, which had belonged to David le Cu.

[4] Held by petty serjeanty.

[5] In 1258 the king added for praiseworthy services the house of Samuel Bernard (? Jew), in the parish of All Saints, Northampton, value xxviii. pence per annum.

of his lay in Puck Lane (near Northgate), next that of Hugh, the girdler (*Cf.* 439 Corp. Records, a. 1250). He was also the possessor with his wife Agnes and his son, Edmund, of a good house in Westminster, and of the ferm of the Royal Manors of Rodley and Minsterworth in Co. Gloucestershire. An order in 1259 instructs him to have prepared the king's lectern (in the Chapter House) at Westminster for Master William our beloved painter to decorate. This is the period of his best and culminating success as a master. He now built the gateway of Guildford Castle, and he was also building the choir and north transept and high vaulting in the great national Abbey; and it is to him we owe the beautiful coloured heraldic shields, in the spandrels of the arcade, belonging to the most illustrious of the Abbey's patrons. In 1260 his wages were doubled, owing to the king's delight in his work. He also in that year was given £410 to expend on work at Windsor (equal to £5,000 now). Alas! in the following year, 1261, a Patent Roll of February 18th discloses that he has died and left his estate at Blaisdon to the King's Sergeant, Henry de la Wade, and his great office at Westminster became conferred upon Robert of Beverley.[1] It is not unworthy of mention here that the Record Office account shows that he had used nearly three tons of Forest of Dean iron for his ties, "ferri tenacis de Gloverna, xx£," on the Abbey at Westminster. His son Edmund is referred to in 1266. At the time of John of Gloucester's decease the wonderful Chapter House there had been entirely finished and floored with the tiles laid down under his supervision in 1258, and the great painted lectern was set up. Mr. Lethaby thinks that a certain lay figure sculptured high

[1] On November 20th, 1260, the king conceded to Agnes the widow, and Edmund the son, of John of Gloucester, the ferm of the Manors of Rodley and Minsterworth in Gloucestershire.

Cf. Issue Rolls. In 1266 a concession is made by the king as to payment of a debt of 80 marks owed by Edmund, son of John of Gloucester, owing to poverty (December 12th, Oxford).

up in the north transept may well be a portrait of our architect.

I now proceed to give some account of the man who was the king's chief goldsmith at this fascinating period, William of Gloucester, who was in 1256–57 in charge of the Mint. In 1258 he made the great altar frontal (spontale) of gold work, a gold chalice and two gold cups for Westminster, and was ordered a little later to buy gold from the Jews in order to complete the shrine of Edward the Confessor, which work was finished in 1269; and it received the remains of that sainted king. I proceed to mention the following works which he made for the king before his death in 1272:—

A silver image over ye tomb of Katharine (in Westminster Abbey) the daughter of Ye King.

An image of St. Peter, holding a Church in one hand, and in the other his keys, and trampling upon Nero, and having a large sapphire on his breast, £100.

Five angels of gold, £30 7s. 0d.

A Majesty, £200.

The Virgin and her son, set with rubies, emeralds, sapphires and garnets, £200.

St. Edmund, King, with a crown having two great sapphires worth £86.

In 1257 (*Issue Rolls*, a. 41 Hen. III.) the king purchases from William, for ten marks, a certain clasp to offer at the shrine of the blessed Edmund (Rich) at Pontigny; and, again, 5 marks for a clasp of gold for the King's use. A King with a flower in his hand and a great garnet on his breast with pearls, £56.

Another King, with a ruby on his breast, £48.

No doubt these kingly figurines were for the adornment of the great shrine of the Confessor, as was the figure of King Henry himself, holding a model of the same shrine.

William of Gloucester died early in 1272, the same year as his sovereign. Truly, therefore, we have in him a master of whom London and the Abbey were as proud, as no doubt was

the Goldsmiths' Guild. He married Willelma, daughter of Thomas of Basing, younger son of the founder of St. Helen's, Bishopsgate, Dean of St. Paul's 1222, and he left a son, Henry of Gloucester.

I now pass over sixty years into the reign of Edward III., as I still lack the final evidence of the suspected intimate connection of another (and each equally great) Westminster goldsmith (his successor) with Gloucester. I mean William Torel, the fashioner of those two masterpieces of the abbey, the bronze effigy of Henry III. and of Eleanor, wife of Edward I., the first made in England.[1] And I come to Thomas of Gloucester, also the king's mason. Mr. Lethaby describes him as in 1356 one of the best-known masons in London. In 1358–59 he was working on the Palace at Westminster, and was the chief mason at the time (*Cf.* Lethaby, *Westminster*, p. 204.) It may be possible to identify him with a Thomas of Gloucester of ten years before (namely in 1345), one of six officials then employed at the Tower of London on work for the Treasury, and who undertook to produce before the King's Treasurer and the Barons of the Exchequer, at need, John of Thormerton (? Gloucestershire man), parson, and late clerk to John of the Flete, keeper of the Exchange, who is imprisoned in the Tower suspected of certain defaults in the office of the Exchange. But I think the latter to have been the same with Thomas of Gloucester of the 1342 Close Roll, son of Henry of Gloucester, goldsmith, deceased, under whose will was a recognisance of a debt of £60. The executors were John of Bristol and Andrew of Essex, seal engraver. More of him I do not find.

Contemporaneously, however, I find, both at Gloucester and at Westminster Abbey, one Thomas Glaswryght,

[1] For it is possible that William Torel, of 1250, owning tenements like John of Gloucester, between the bridges at Gloucester, was a goldsmith, and whose daughter, Cecily, married Robert de Bredon there. In which case he may have been father or grandfather of William Torel at Westminster, and Gilbert Torel (died c. 1321).

probably one and the same individual, the most prominent of glass-makers at the greater Abbey at that very interesting moment of time between the battles of Crecy and Poitiers! No other bearing this specific name and profession occurs at the period; and there are, at any rate, two notable things to be said relative to him. He appears upon a commission sitting at St. Bride's Church in Fleet Street, London, to report to the mayor upon the evil encroachments, etc., made upon the Fleet Ditch by tanners and others, close to the king's great mansion, Bridewell Palace, there. It is not a little singular[1] that this very site is still occupied by the great glass works of the Powells in Tudor Street, White Friars. If he is indeed the same Thomas Glasswright, whose name I have found in the Cathedral Library in an unpublished deed of 1337 (as a witness), owning a tenement down Bridge Street, Gloucester (where all the artists seem to have resided), and in three of our Corporation records, 1330 (No. 865), 1339–40 (No. 899–900), then I may be permitted the conjecture that some great achievement by him in Gloucester churches had procured his summoning to the king's work at Westminster, like his great predecessor, John of Gloucester, to make similar noble windows there. And there was one magnificent work certainly made here in Gloucester Cathedral at the very time, at the cost and desire of the then Constable of Gloucester Castle, a prime favourite of King Edward. I allude, of course, to Sir Thomas Bradeston,[2] (*c.*) 1288–1380, for whom the famous east window

[1] As Mr. Lethaby points out in a letter to me.

[2] Son and heir of Henry de Bradstone, near Berkeley. Served in the Scottish War 1318–19. Suffered forfeiture for countering the Despencers. Governor of Berkeley and Keeper of Kingswood Chase. Governor of Gloucester Castle 1330 and from 1338–60. Held the Manor of Deerhurst from Queen Isabel. On embassy to Rome 1343. Accompanied the king to France 1346 (July), in the retinue of the Earl of Arundel. Sat by summons in three Councils Edward III. Chantries in St. Michael's Chapel at Bradestone (now gone). Married (1) Isabel (died 1343-44); (2) Agnes. His son married Philippa, daughter of Sir Guy de Brian.

in the Abbey here was set up about the year 1352 by undoubted local masters. In Thomas the Glasswright of Gloucester we may indeed have, though it is not yet proved absolutely, the actual artist of that unique achievement.

I find that the Abbot and Convent of St. Peter's after 1345 were annually paying to Sir Thomas Bradeston for life £48. This important fact establishes the means of understanding his undertaking the commemorative or Crecy window in the Abbey; and it makes Thomas the glasswright of Gloucester the most likely person to be employed there, for, as I find from documents still unprinted, he was a tenant of the Abbey.

Notices of Publications.

TORT, CRIME AND POLICE IN MEDIÆVAL BRITAIN. By J. W. JEUDWINE, LL.B., Camb. London: Williams and Norgate, 1917.

Mr. Jeudwine's fresh and far-seeing outlook over the history of these islands, disclosed in his previous works (*The First Twelve Centuries of British Story*, 1912, and *The Manufacture of Historical Material*, reviewed in these pages last year) has been again exemplified in this little book. Pursuing his polemic against the monastic chroniclers, on whom he has already inflicted severe and discrediting blows, he turns to contemporary records of actual life to discover a nearer approximation to the truth and a more certain interpretation of the outlines of the evolution of the State. In the documents preserved in the Record Office, some of which are being slowly edited and given to the world, and in the collections of the ancient law of various parts of these islands, France and the Scandinavian North, he finds his material. The present volume is devoted to an examination of law and custom, so far only as they relate to tort, crime and police. His object is first to gain a clear idea of the condition of society in the early ages before the unification of England and the extension of its sway, and of its influence where conquest was not achieved, over the rest of the British islands—in other words, before the consolidation of the kingdoms and of the central authority, and the gradual transformation, proceeding also all over the West of Europe, of society from a congeries of tribes with their own individual customs and laws, and owning no more than nominal allegiance (where they owned even that) to an overlord, into a modern constitutional and industrial State. This transformation has been effected by means of a long and keen contest between the central power and the various units, which historians misled by the chroniclers have not understood.

The author, therefore, deals with that most interesting period when archaic custom is hardening into law, when immemorial traditions are coming into conflict with a more civilised but alien system, with which their procedure and their teaching are alike incompatible, and which must profoundly modify them, if not abolish them altogether. Society is at first found to be organised on the footing of kinship and joint responsibility. There is no distinction between tort and crime. All wrongs are held to affect the community, and are to be righted by revenge or by compensation in which the whole kin share. The communities are small, the joint responsibility and the joint benefit from every compensation are felt by all the members. When they are united by conquest or other means into a larger body, having wider interests and different liabilities, this primitive machinery becomes inefficient and inapplicable. It is consequently inevitable that it should pass away.

A sketch is given of the archaic law and custom so far as the method of redressing wrongs is concerned, with illustrations from all the various peoples which ultimately combined to constitute the population of these islands. Deviations of custom are not insisted on, except in the case of Ireland, which it is repeatedly pointed out had a more advanced procedure and bears evidence of a more civilised state of society than the other peoples. These deviations might have been more strongly emphasised in the case of the others. Icelandic law, for instance, presents a very striking example in the account recorded in the *Eyrbyggja Saga* of the legal proceedings against a number of ghosts who disturbed the peace of the settlement at Frodiswater, involving a very rudimentary conception of the powers of the living community by means of a duly constituted Thing.

The claims of what Mr. Jeudwine calls the federal power, namely, the overking as lord, to an over-riding jurisdiction, and the means he took at different times and in varying circumstances to enforce it, are then exhibited. The chief's interference as conciliator is first invoked : he becomes arbitrator ; gradually he usurps the position as a right ; his dooms are enforced and obeyed. He also intervenes on the ground of breach of "the king's peace." He sets up courts of his own and compels submission to them. As conciliator he originally obtained a reward

from both parties: subsequently he required fees for entertaining cases and inflicted fines. Fees and fines become a substantial branch of revenue, which the king is eager to improve. Little by little, in the face of opposition, the local courts of the community are overridden and depressed, until they are reduced to insignificance, or finally suppressed. The Church formed a powerful rival of the monarchy, claiming jurisdiction for itself in large classes of cases and over large bodies of men. We find it siding now with the local courts, and again under the influence of Roman law, or when it was sufficiently bribed or had acquired paramount influence, with the king. The contest with the Church was protracted—at times severe. But as most of the lawyers were Churchmen it was usually found, except where its own privileges and claims were directly in question, on the king's side, with the result to itself that until the Reformation, or indeed until within our own lifetime, it retained large jurisdiction. The process is described and "well documented," in French phrase, by numerous citations from ancient laws, Acts of Parliament, Year Books, Manor Rolls, Close Rolls, and in fact records of all kinds. Though of course within its limits it could only be a sketch, the author contrives to cast a vivid light upon the development of society and of law.

But he has "an incorrigible belief that history as an antiquarian study is of little value, inferior to stamp-collecting or the cinema, and that the story of the past, to be of any use as a guide for the present, must be related with reference to the affairs of the present, the reader judging for himself whether the evidence produced justifies the verdict asked for by the compiler, who, even when most unconscious of it, is always an advocate, never an impartial judge." This attitude is disclosed in comment from time to time, and more fully in the two final chapters, called "a review." These comments and reviews lack nothing in liveliness, and will afford the reader not a little entertainment. Pleading for recurrence in many directions to the principles which governed archaic law, the author perhaps takes too little account of the inevitable changes involved in the expansion of small local communities, consolidated by actual or fictitious kinship, to a modern empire founded on industrial and commercial activities undreamed of by our ancestors. If his tone seemed sometimes a

little less acid and impatient, his comments would not be such lively reading, but his aim might be more nearly fulfilled.

However this may be, the historical interest of the book is undeniable. It is not for a moment to be compared to its small dimensions. Mr. Jeudwine has successfully confuted his own "incorrigible belief." E. S. H.

WAS JOHN WYCLIFFE A NEGLIGENT PLURALIST? also JOHN DE TREVISA, HIS LIFE AND WORK. By H. J. WILKINS, D.D., Vicar of Westbury-on-Trym and Minister of Redland Chapel, Bristol. London: Longmans, Green & Co., 1915. 5s.

AN APPENDIX TO JOHN WYCLIFFE AND JOHN DE TREVISA, together with a Chart of the History of the Church of Westbury-on-Trym from 715 to 1916. By H. J. WILKINS, D.D., Vicar of Westbury-on-Trym. Bristol: J. W. Arrowsmith Ltd. 1916. 1s. 6d. net.

Much has been written about John Wycliffe and his connection with Westbury in Bristol and elsewhere by people who for the most part only darkened counsel by words without knowledge, because hardly anything was known about the matter; and it is much to the credit of the Vicar of Westbury that he has made the subject clear. He shows that John Wycliffe was provided to a prebend in the Collegiate Church of Westbury, on the petition of the University of Oxford, by Pope Urban V. on November 24th, 1362. On November 6th, 1375, he obtained a ratification of his Prebend of Aust in Westbury, which prebend was, however, granted (in error) to Robert de Faryngton on November 18th in that year by King Edward III.; but on finding out that the prebend had not been vacant at the time the king revoked the grant, and offered Faryngton the vicarage of Ivinghoe, which was declined. Faryngton, however, did very well for himself elsewhere; and Wycliffe was appointed to the Rectory of Fillingham in 1361, to that of Ludgershall in 1368, and that of Lutterworth in 1374, holding it till his death on December 31st, 1384; but he held each of these livings singly. The prebend of Aust in the Church of Westbury he held for twenty-two years, from 1362 till his death.

In answering the question: "Was John Wycliffe a Negligent Pluralist?" it must be remembered that a man might hold any number of benefices, such as archdeaconries or canonries, which had no cure of souls attached to them. William of Wykeham held very many in Wycliffe's time; but it appeared from a return which he made in 1366 that he held only one benefice with cure of souls. But a man might not hold more than one benefice, such as a rectory or vicarage, with a cure of souls. So strict was (and is) the law, that if a man holding such a benefice is appointed to another without a proper licence, the former benefice thereby becomes vacant. The Prebend of Aust was not a benefice with cure of souls. Aust was, and is, a chapel in the Parish of Henbury; and the Vicar of Henbury was, and is, responsible for the care of the people. Wycliffe's connection with Aust was only one of property; the estate of his prebend lay there. We have seen that Wycliffe held his rectories in succession, and in no case together; so that the only case in which the question of plurality arises is that of his canonry in the Collegiate Church of Westbury. Commonly in cases where a college of priests held the endowment of a church, a bishop would ordain a vicarage; that is to say, he would set apart a portion of the endowment for the support of a parish priest whom he would institute to the living, and who would answer for the care of the people. But this was never done at Westbury. It is true that if the Canons of Westbury did not care for the parishioners of Westbury, no one else would do so; but that a Canonry of Westbury was not regarded as a cure of souls is shown by the fact that Wycliffe's acceptance of it did not render vacant his rectory of Fillingham. Wycliffe was not in the eye of the law a pluralist. It is to be noted that the Vicar of Aust mentioned in the statutes of Bishop Giffard was not a vicar with cure of souls in Aust, but a priest-vicar in the Collegiate Church of Westbury, to care for the services of the church in the absence of the prebendary who appointed him. Bishop Giffard's "vicars" were to dwell continually at Westbury, clearly showing that their duty lay in that church (p. 41), just as the vicars at Wells dwelt in the Vicar's Close, to be near their duties in the cathedral.

"Was Wycliffe negligent?" There is something to be said in support of this charge. He was appointed to his prebend in

November, 1362, and in April, 1366, Bishop Wittlesey of Worcester required the Dean of Westbury to make a return relating to the affairs of his church. The Dean reported that all the five canons had been non-resident ever since their institution, and that only one—Hyndele—had regularly provided his vicar. The Bishop ordered the Dean to cite all the canons before him, and to sequestrate the incomes of the prebends. It looks bad; but we must remember the confusion of the times. From August, 1361, to May, 1362, a great plague prevailed in England. It is likely enough that the vacancy which Wycliffe filled, as well as those from which arose the benefices heaped on William of Wykeham, had been caused by this plague, and that it was simply not possible to carry out repairs, or to find and to maintain vicars. There seems to be no later complaint against Wycliffe, and so long as he provided his vicar he need not reside. To the question: "Was Wycliffe negligent?" a natural answer would be: "Not proven."

John de Trevisa appears as figuring in two mighty rows, the first at Queen's College, Oxford, and afterwards at Westbury. The first row seems to have been simply a part of the everlasting squabble between northern and southern students at Oxford. Queen's College had been founded in 1341 as a distinctly northern college, favouring chiefly Cumberland and Westmoreland; but about 1361 Henry de Whitefelde was elected provost, he had been a Fellow of Stapledon Hall, a resort of Devon and Cornwall men, and he was followed into Queen's between 1369 and 1375 by William Fraunke, Robert de Tydeford, and John Trevisa, all Fellows of Stapledon Hall. It seems likely that the northerners in Queen's disliked this incursion of southerners, and on January 6th, 1376, Thomas de Carlile became provost, and the four southerners were expelled. Henry de Whitefelde appears as Archdeacon of Barnstaple in 1383; and Trevisa rented rooms at Queen's between 1395 and 1399. With regard to the Westbury rows, Robert Wattes, Dean of Westbury, complained to the king that on May 25th, 1388, John Poleyne, squire of Thomas Berkeley, knight, with an armed force attacked the college, dragged the Dean out of bed, and ill-treated him; also that on February 12th, 1389, John de Trevisa with certain parishioners of Westbury again attacked the college and carried away goods to the value of £40.

The Dean appealed to the king, because he said he could not get justice locally. What the rights of the dispute may have been does not appear; but the Dean exchanged with the Rector of Staplebrigge on October 19th, 1390, and by November 5th, 1390, Trevisa was Canon of Westbury, holding the dignity until his death in 1402. The date of his appointment to the Vicarage of Berkeley does not seem to be known, though it was after 1361. Some interesting details are given concerning the copies of the Apocalypse in Latin and French which were inscribed on the walls of the chapel in the Castle at Berkeley. From the time of Caxton it has been believed that Trevisa translated the Bible into English. There is, however, no evidence that anyone has ever seen a portion of a translation of the Bible by Trevisa; and Cardinal Gasquet and the Lord Bishop of Clifton have assured Dr. Wilkins that there is nothing of the kind in the Vatican Library, and probably nothing at Frascati. Trevisa certainly did a good deal of translating into English, but there seems to be no direct evidence that he translated any part of the Bible.

The book, which is one of the best pieces of original work which has been done in our district for some time, contains a series of original documents relating to Wycliffe's tenure of his Westbury prebend, and Trevisa's rows, with translations, and also a facsimile of part of Bishop Wittlesey's register, and it will be of real help to all who are interested in the church history of the district.

In the "Appendix" Dr. Wilkins shows distinctly that Wycliffe, as Prebendary of Aust in the Collegiate Church of Westbury-on-Trym, had nothing at all to do with the services in Aust Church, or with the cure of souls of the parishioners of Aust. For Aust was a Chapel in the Parish of Henbury, as it is now, and the Vicar of Henbury was responsible for the care of the parishioners and the maintenance of the services, as he is now. Wycliffe's connection with Aust was simply that the estate which formed the endowment of his canonry lay in that place. This point is proved by reference to Bishop Giffard's directions with regard to his foundation of Westbury College in 1293, and Bishop Carpenter's settlement of a dispute between the College and the Vicar of Henbury in 1463. Dr. Wilkins also shows that, though under Bishop Giffard's foundation each canon had a separate endowment

for his canonry, when Bishop Carpenter refounded the College he did away with these separate endowments, except with regard to the endowment of the deanery, pooling the endowments, so that the canons drew their incomes from a common fund, as the Canons of Bristol do now. Dr. Wilkins states that he has not been able to obtain any further information from Italy with regard to translations of the Bible by John de Trevisa. The chart is a most useful piece of work, the compilation of which must have involved much care and labour. It consists of a large sheet of tough paper, which contains details of the history of the church from 715 until now, the names of the abbots, deans and canons arranged according to their stalls, and after the Dissolution the names of the vicars, and also the names of the two sets of patrons with whom lies the appointment of the vicar from time to time. It is likely that there are very few churches whose history extends over twelve centuries, with regard to which so much information is given in so small a space and so convenient a form. The circumstances under which Redland Chapel became connected with Westbury Church are also clearly explained.

C. S. T.

WESTBURY COLLEGE FROM 1194 TO 1544. By H. J. WILKINS, D.D., Vicar of Westbury-on-Trym. Bristol: J. W. Arrowsmith Ltd. London: Simpkin, Marshall & Co. 1917. 10s.

Westbury College was a foundation very similar to that of Bristol Cathedral as we now know it, so far as the Dean and Chapter are concerned. The foundation in each case was one of secular canons. At Westbury there were a dean and five canons, with an endowment amounting in 1539 to a clear value of £301 8s. 9d. The cathedral was founded in 1542 for a dean and six canons, with endowment for them of £295 15s. 7d.; and the two churches existed together for nearly two years, till Westbury College was surrendered on February 18th, 1544. Very little, however, has been known about the history of the College; and Dr. Wilkins has done excellent work of more than local value by the publication of this book.

Dr. Wilkins begins by showing that the Church of Westbury was in the possession of secular clergy long before Bishop Giffard refounded it in 1288. About 1093 St. Wulfstan, Bishop of Worcester, placed a body of monks in possession of the church; but his successor, Sampson, replaced them by seculars. Simon, Bishop 1125–1150, however, restored the church to the monks; and it has been thought that the monks remained there till the time of Bishop Giffard. But Dr. Wilkins shows that Bishop Simon about 1140 made a grant to his clerk, Hugh, of land in Saltmarsh, which grant was confirmed by Archbishop Theobald; also that in 1194 Henry, Bishop of Worcester, granted the same property to Hugh of Chaisna, Canon of Westbury, the grant being confirmed by Pope Celestine III. Thus Westbury was already a canons' church in 1194. In cathedrals such as Canterbury and Worcester, where the Chapter was composed of monks, relations between the diocesan and the monks were frequently strained; and about 1188 Baldwin, Archbishop of Canterbury, who had been Bishop of Worcester, strove to counteract the influence of the monks of the cathedral by the foundation of a collegiate church of secular priests at Hackington, close to Canterbury. The attempt failed, for the monks invoked the aid of the Pope; but it is likely that this attempt on the part of their predecessor to check the power of the monks of the cathedral by the erection of a wealthy secular church, was in the minds both of Bishop Giffard and Bishop Carpenter when they took in hand the enrichment of Westbury Church. Dr. Wilkins gives full details of the contest between Bishop Giffard and the monks of Worcester, in which "letters of the Merchants," or bills of exchange, to satisfy the demands of the Papal Court, played a large part. A list follows of the deans and canons of the church during the two centuries and a half which elapsed between the time of Bishop Giffard and the surrender of the house; and as particulars are given of other preferments held, the list is very valuable, as showing the circumstances of one of the smaller but well-endowed secular churches. It is clear that the canons were nearly all non-resident; and the frequency of papal provisions, exchanges, and such-like devices show that the canonries were regarded merely as sources of income, whose duties were passed by or performed by deputy, the object being to heap together as many prebends as possible. The

list would seem to justify Archbishop Cranmer's remarks on the proposal to place twelve prebendaries on the new foundation of the cathedral at Canterbury: "Having experience both in time past and also in our own days, how the said sect of prebendaries have not only spent their time in much idleness, and their substance in superfluous belly-cheer, I think it not to be a convenient state or degree to be maintained and established, considering first, that commonly a prebendary is neither a learner, nor teacher, but a good viander."[1] However, the twelve prebendaries stood, though the Ecclesiastical Commission has since cut them down to six.

Dr. Wilkins mentions a tradition that the Church of Westbury-on-Trym was considered as one of the churches which might serve as the cathedral for the new See of Bristol, the other two possible churches being St. Augustine's Abbey and St. Mary Redcliff. The matter is not an easy one to decide; for the foundation of the See of Bristol was evidently carried through, as many other things were at that time, haphazard and by fits and starts. As far back as 1532 a Bull had been expedited by the Pope to sanction the foundation of six new bishoprics. In May, 1539, a Bill was passed for the foundation of new bishoprics, and a list was drawn up of thirteen sees which might be founded, in which Gloucester was mentioned but not Bristol. St. Augustine's Abbey was surrendered on December 9th, 1539, and St. Peter's, Gloucester, on January 2nd, 1540, and half the lead was removed from the buildings of St. Augustine's. On September 3rd, 1541, the See of Gloucester was founded, the diocese consisting of Gloucestershire with the County of the City of Gloucester, and so much of the County of Bristol as had lain in the Diocese of Worcester, that is Bristol north of Avon. Thus Westbury Church and the remnant of St. Augustine's lay in the Diocese of Gloucester. Yet again on June 4th, 1542, the See of Bristol was founded, the diocese consisting of the Counties of the City of Bristol and of Dorset, with the Rural Deanery of Bristol and the Parish of Abbot's Leigh; thus all the three churches mentioned were included in the Diocese of Bristol. In favour of the idea that there may have been some thought of placing the See at Westbury

[1] Burnet, *Reformation*, vol. iii., part iii., book iii., 64, 65.

is the fact that that church was allowed to stand unaltered till 1544, and there would have been ample space for housing the Bishop and Chapter. St. Mary Redcliff is only suggested by a passage in Fuller's *Worthies of England;* but as Fuller was not born for more than sixty years after the foundation of the see, little weight can be attached to what he wrote. No doubt St. Augustine's Abbey, even in its mutilated state, was the most suitable church of the three for a cathedral. It was central, it was more roomy than either of the other two, and was not hampered by parochial arrangements; also there was sufficient space for the necessary buildings. Unfortunately the following passage occurs on page 183, derived from information supplied to Dr. Wilkins: "Redcliffe was a deanery and peculiar of the prebendary in Salisbury." The Deanery of Redcliff was a rural deanery in the Diocese of Bath and Wells. It is now represented by the two deanery districts of Portishead and Chew, and it naturally took its name from the Borough of Redcliff, the largest place within it. No peculiar rights attached either to the mother church of Bedminster or to either of its chapels of Abbot's Leigh, St. Mary Redcliff, or St. Thomas the Martyr. There is no mention of such rights in the return of Peculiars in the Diocese of Bath and Wells made by Bishop Beadon on January 9th, 1810, or in the list of Peculiars given in the *Victoria History of Somerset*, ii. 67. The Rectory of Bedminster formed the endowment of the Prebend of Bedminster and Redcliff in Salisbury Cathedral; but of course Salisbury Cathedral has no jurisdiction in the Diocese of Bath and Wells On page 36 it is stated that "the Dean of Westbury was also Dean of Christianity" or rural dean: but no evidence is given for the statement. He could only have had jurisdiction over the churches subject to the College; and if he had possessed such jurisdiction, it would of course have passed to the lay grantees of the College, as the lord of the manor of Bibury appointed his own official and chancellor, who took probate of wills, and granted marriage licences within the peculiar. But there does not seem to have been any peculiar ruri-decanal jurisdiction at Westbury. In certain places in the book it is stated that Westbury College was surrendered on February 8th, 1544; the true date was the 18th, as is shown in Rymer's *Foedera*, and in the Letters Patent granting the church to Sir Ralph Sadleir.

On page 133 it is noted that the dean, but not the canons, acknowledged the king's supremacy on September 17th, 1534; no doubt the canons were as usual non-resident, their vicars signed.

A very real debt of gratitude is due to Dr. Wilkins for the work which he has done with regard to the Church of Westbury-on-Trym, not only from those who are especially interested in the history of Gloucestershire, but also from the wider circle of students who will welcome this record of the life of one of the smaller churches of secular canons. It cannot be said, however, that the history of Westbury Church gives the impression that between 1194 and 1544 the College served any very useful purpose; and it is not likely that many tears were shed when it was surrendered, except by those who lost money by its dissolution. C. S. T.

A HISTORY OF THE BRISTOL ROYAL INFIRMARY. By G. MUNRO SMITH, M.D. Bristol: J. W. Arrowsmith Ltd. 1917.

The Bristol Royal Infirmary, established in 1736, hardly comes within that "dark backward and abysm of time" which is popularly looked upon as the province of archæology. But the hitherward boundaries of that province have yet to be determined; and they are ever moving forward. Certain it is that if the objects of archæological research are not to be limited to material remains — which cannot be understood alone — but extended to customs and institutions that have descended along the stream of time, some to this day and others long ago superseded, an institution which has weathered the storms and surmounted the difficulties of six generations, and proved itself a large and beneficent influence, must have claims to the interest of archæologists. Such an institution is the Bristol Royal Infirmary. Its history is bound up with the story of the emergence of medical and surgical practice from the crude and superstitious methods of more barbarous ages. Its early struggles with these methods, as well as with finance, are replete alike with lessons for civilisation everywhere and at all times.

It was founded by the exertions of a group of large-hearted men who were desirous of affording relief and help to their less fortunate fellows. From the first it appealed not without success

to the sympathy of the citizens of Bristol, and beyond them to the wealthy and generous of the adjacent counties. Many of its difficulties were occasioned by the instinct which seeks safety in the ancient ways and distrusts innovation. Many of its internal struggles now seem as small and meaningless as a storm in a teacup. But almost all of them represent the conflict of old ideas with the new, and mark the steps trodden by the entire community in its gradual emergence along a line of progress of which we can as yet but dimly guess the ultimate goal.

The men who founded it—Bonython, Thornhill, Dean Creswick and their fellows—are now little more than names. They are names that deserve not to be forgotten. They merit the gratitude of humanity. And we should be very ungrateful, and blind to the interests of those who come after us, to let them slip out of memory. Fortunately in Richard Smith, who was Surgeon to the Infirmary for nearly half a century (1796–1843), and in the author of the present volume, men have been found whose loving care and enthusiasm have succeeded in preserving much of its early history. Their labours, especially those of Dr. Munro Smith, have enabled the latter to present a series of pictures of society in Bristol in the eighteenth and early part of the nineteenth centuries that render intelligible the meaning of much of the old history of the Infirmary itself. They go far beyond this. They furnish materials for the history of the nation during a most important period, when the vicissitudes of the various wars with France, the American Revolution, and the final struggles for constitutional liberty after the fall of Napoleon, affected society profoundly and in many directions.

The author has taken a pious care in not only narrating the careers of the various professional men connected from time to time with the Infirmary; he has also described their outward appearance and carriage. He has striven to show us what manner of men they were. Take this account of Dr. William Logan, one of the early members of the medical staff: He was "a strict observer of professional costume, and never stirred abroad or was visible at home, unless in full dress, *i.e.* his head covered by the immense flowing wig of George the Second's time, a red roquelaure [a red cloak generally worn at that time by physicians] hanging from his shoulders to his heels, his wrist graced with a gold-headed

cane, and his side furnished with a long French rapier." No wonder Dr. Smith mildly contrasts the entry of a stately presence like this into the ward with "the rush of the present-day members of the staff." Again and again the dress of the medical staff is referred to; and we seem to witness the changes that one after another have at length brought down the professional clothing to its present utilitarian simplicity. Nor can we fail to be reminded that such changes correspond to the simplification of treatment and the gradual predominance over heroic measures of scientifically trained and sympathetic common-sense.

Gruesome stories are told us of body-snatching—a crime that grew out of the absolute necessity of obtaining subjects for anatomical inquiry and education and the illegitimate efforts to provide them. There was no possibility of providing them in a legitimate way: such was the effect of the gross prejudice and superstition of our legislators as well as of the populace. It was nearly a hundred years after the establishment of the Infirmary that, as the author well observes, "the anomaly of expecting medical men to know anatomy and at the same time preventing them from learning it was done away" by the passing of the Anatomy Act, 2 and 3 William IV., c. 75.

The manner in which surgeons and apothecaries gradually fought their way into professional recognition and something like professional equality with their brethren, the physicians, receives vivid illustration in this volume. The status for which they fought was in fact social as well as professional. Some of the most interesting chapters are those that recall the social life, the habits and amusements of the first century of the existence of the Infirmary, and the practice and struggles of the various branches of the profession during that period.

Such a book, so full of local history and local colour, must appeal in the first place to local readers. It will teach them to value what has been accomplished by their predecessors, and preserve the memory of many old Bristolians whose names are fading away with the lapse of time and the change from what was still almost a mediæval town to the great, busy city of many-sided interests of these modern days. It records how Bristol was in the van of scientific progress in more ways than one, even during the comparatively placid times of the earlier Georges. The

author has taken a broad view of his task, and has written a work with a bearing that is by no means negligible upon the national history. In spite, therefore, of a somewhat confusing arrangement, necessitated perhaps by the many subjects to be surveyed and the effort to preserve something like chronological sequence, it is a fascinating volume. It will be read with pleasure and instruction by all, wherever they are, who are alive to the story of civilisation and the intellectual and moral evolution of the eighteenth and nineteenth centuries.

One curious inadvertence should be noted. John Wright, who was elected a physician of the Infirmary in the year 1772, is said to have been born in the year 1732. He and his brother Thomas "came to Bristol together," we are told; and "Thomas, who died in 1777, was for forty-eight years Minister at Lewin's Mead Chapel." If this be correct, he must have come to Bristol and begun his ministry there in 1729, three years before John Wright was born.

It is to be regretted that the author did not live to witness the publication of the work on which he must have spent the leisure of many years of a busy and useful career. He has laid under obligation, in the work he has left behind him, students of the past not confined to those who have the good fortune to be numbered among his fellow-citizens. E. S. H.

A REPORT TO THE CONVOCATION OF THE PROVINCE OF CANTERBURY ON THE ECCLESIASTICAL RECORDS OF THE DIOCESE OF BATH AND WELLS, to which is attached a short account of the Church Plate now in the custody of the Dean and Chapter of Wells and of the Parochial Clergy of Somerset. By T. SCOTT HOLMES, D.D., Chancellor and Canon Residentiary of Wells. Taunton, Barnicott & Pearce. 1914. 5s.

The question of the custody and care of ecclesiastical records has been in the air for some time past. It is now arousing considerable interest within our district, and it may be reckoned among the subjects which are to be settled, if at all, after the war is over; so it may very well be that an account of what has been done south of Avon may interest those who dwell on the north of

the river. The moving cause of this report was a resolution of the Convocation of Canterbury in June, 1905, that it was "Advisable that a Commission should be issued by the Bishop of each Diocese charged with the duty of ascertaining of what records the several officers of the Church in the Diocese are at present custodians." The Bishop of the Diocese at once named a commission, which failed to accomplish anything. The County of Somerset is nearly half as large again as the Counties of Gloucester and Bristol, and it contains nearly five times as many benefices as does the Diocese of Bristol; furthermore, there were no funds available for the publication of such a report if the materials could be collected. So the matter rested until 1912, when the Chairman of the Committee of Convocation again called the attention of the Bishop of the Diocese to the matter. Canon Holmes took the matter in hand, and by means of inquiries through the *Diocesan Gazette* collected the particulars which are embodied in this report; also the generous help of Mrs. Richardson and Miss Stancomb Wills made the publication of the report possible.

The ecclesiastical records of any diocese may be broadly divided into Episcopal, Capitular and Parochial. The episcopal registers begin with those of John de Drokensford, 1309–1329, and they are complete to the present day, with the exceptions of those of Bishops Barnet, Harewell, Skirlaw, and Erghum, 1363–1400, Barlow, 1548–1554, and Montague, Laud and Mawe, 1608–1629; so that they cover 542 years out of the 606 years which have elapsed since the consecration of Bishop Drokensford. It is to be noted that the missing registers mostly lie in two groups. They may very likely have been lost together, and so possibly they may be found together at Wells, as four leaves of the register of Bishop Godwin, 1584–1590, were found among some Chapter records. These registers are well and safely kept in a tower between the Palace and the Market Place at Wells.

The Wells Chapter possesses more than one thousand ancient documents, sorted and arranged in boxes by Mr. De Gray Birch, which with the minute books giving an account of them are kept under lock and key in a room properly warmed. There seem to be no ancient archidiaconal documents.

The Diocese of Bath and Wells has no reason to be ashamed of

the care which has been taken of its parochial records. On September 30th, 1538, Thomas Cromwell, Vicar-General, sent to Archbishop Cranmer a series of injunctions for the direction of parish priests, ordering among other things that every priest should keep a book in which he should enter every wedding, christening, and burying. The matter was brought before the clergy of the district at Crewkerne on October 26th; and before the end of the year the little parish of Stockland Bristol, had provided a book for the purpose, which is still in existence. The register at Northover begins in 1534 with an entry of a wedding in 1531, and the books at Closworth and Charlton Musgrove begin also in 1534. There are in the diocese 493 ancient parishes; and of these forty-two contain entries dating back before the reign of Queen Elizabeth, while one hundred and forty-eight register books begin in her reign; so that about two parishes out of every five possess register books that are more than three hundred years old. The books of seventeen parishes begin in 1538, and nearly all of these parishes are very small; indeed—contrary to expectation, perhaps—it may be very truly said that the oldest books are found in the smallest parishes.

The questions sent out by Canon Holmes related to parish registers, mentioning the dates of the different books, churchwardens' accounts, and other parish documents. The particulars under the first two heads are very carefully dealt with. Little is said about parish documents, no doubt because few of them are ecclesiastical in character. The general impression left, after a perusal of the returns, is that the clergy and wardens of Somerset have been very careful with regard to the documents committed to their trust; the relative completeness of the series is in many cases very striking. At Banwell, for example (mentioned only because the writer knows the circumstances thoroughly), the wardens' accounts begin in 1515, and the accounts for only forty-two years out of four centuries are missing; the registers begin in 1569; the three series therefore run over 1038 years, and of these only twenty-six years are missing. Thus out of a total of 1,438 years covered by accounts and registers, the records of only sixty-eight years are missing. It is doubtful whether any Government department could make a better return than this. The foolishness of the cuckoo-cry that the ecclesiastical records ought

to be taken out of the hands of those who have cared for them from the beginning is conclusively proved by the returns in this book ; and Canon Holmes deserves a very full measure of thanks from all who are interested in the preservation of our ancient church documents for the care and patience and skill which are shown in the collection of records contained in the return which he has compiled.

With regard to the information given concerning the church plate of the county, it is taken from papers by the Rev. E. H. Bates Harbin, contained in volumes xliii. to xlix. in the *Proceedings of the Somerset Archæological and Natural History Society ;* for Mr. Bates Harbin did for Somerset what the Rev. J. T. Evans with his helpers did for Gloucestershire. There are only three pieces of mediæval church plate in the county : a chalice and paten at Nettlecombe, dated 1479, a paten at Pilton, probably of the year 1500, and a paten at Chewton Mendip, probably dating from 1511. There are also two cups which were originally made for secular purposes, one at Chewton Mendip dating from 1511, and the other at Newton St. Loe of 1556. Besides these, two hundred and twenty-five churches, or nearly half those in the diocese, possess cups with covers, dating from the time of Queen Elizabeth. It will be a great help in future years not only to the bishop's officers, but to the clergy and wardens, that they will be able to find in this book so complete a list of the church plate and documents which ought to be forthcoming in the different parishes. C. S. T.

Additions to the Society's Library.

THE following works have been added to the Society's Library at Gloucester. Previous lists are printed in the *Transactions*, vol. xxxviii., pp. 226–27, and vol. xxxix, pp. 279–80. Information as to the use of the Libraries at Bristol and Gloucester is printed on the inside of the wrapper of this volume.

PUBLICATIONS OF SOCIETIES.

(In addition to current volumes received in exchange.)

Transactions Cumberland and Westmorland Archæological and Antiquarian Society. Old series, vols. 1 (part 1), 3, 6–16. General Index, vols. 1–16. New series, vols. 1–12.

Harleian Society. Grantees of Arms, II., part 1, A—J, 1687–1898.

Cantilupe Society. Charters and Records of Hereford Cathedral. 1908.

Bishops' Registers, 1370–1453.

Journal of the Chester and North Wales Archæological Society. Old Series, parts 1, 6, 10–12. New series, vols. 1–4, 5 (parts 1 and 4), 6 (parts 1 and 3), 9–20.

GENERAL LITERATURE.

The Glastonbury Lake Village: excavations and relics discovered, 1892–1907. By A. Bulleid and H. St. G. Gray. 1911–17. 2 vols.

London Marriage Licences, 1521–1869. Edited by Joseph Foster. 1887.

Calendars of Public Records:—

Patent Rolls. Henry III., 1225–32; Edward III., 1338–43; 1348–50, 1361–64, 1367–70, 1374–77; Richard II., 1391–96,

Inquisitions Post Mortem, and other analogous documents, Henry III. to Edward III. (25). 9 vols

Chancery Rolls, various, 1277–1326.

Fines Rolls, 1272–1327. 3 vols.

Calendar of Documents in France, 918–1206.

Catalogue of Ancient Deeds, vols. 4–5.

Obituary Notices of Sir A. H. Church. 1917. Presented by Lady Church.

The following have been presented by Reading University College :—

Place-Names of Berkshire. By F. M. Stenton. 1911.

Church of St. Mary, Cholsey. By F. J. Cole. 1911.

Town of Reading during the early part of the Nineteenth Century. By W. M. Childs. 1910.

Black Glaze Pottery from Rhitsona, in Bœotia. By P. N. Ure, 1911.

Early History of the Abbey of Abingdon. By F. M. Stenton. 1913.

Romano-British Site of Lowbury Hill. By Donald Atkinson. 1916.

Publications of the Society.

THE following publications of the Society can be obtained by members at the prices affixed below. Unless otherwise stated carriage will be extra and, if parcels are to be forwarded by passenger train, must be prepaid. Applications, accompanied by cheque or postal order, should be sent to Roland Austin, Hon. General Secretary, 38 Brunswick Road, Gloucester.

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Analysis of the Domesday Book of Gloucestershire. Post free, 3/-

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Church Plate of Gloucestershire. Post free, 5/6.

ERRATA.—VOL. XXXIX.

Page 15, line 12, *for* "inputes" *read* "imputes."

Page 19, line 8 from bottom, *for* "representatives" *read* "representations."

Page 20, line 3 from bottom, *for* "for her" *read* "for the."

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